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SUBJECT Binnenlandse Beveiliging

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2 February 1979

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# Defence and Aid Fund material banned

CAPE TOWN - From today it will be an offence to import, except by authorisation of a permit, any publication or object issued or produced by the International Defence and Aid Fund for South Africa of

104 Newgate Street, London, the Directorate of Publications announced in Cape Town yesterday.

Muslim News, Volume 18, Number 23, Friday, December 15, 1978, by Muslim News Publications, Athlone, is included in a list of publications found to be undesirable.

The publications, the Advocate, (Issue 204, December 1, 1976) by Advocate Publications, Inc., Los Angeles, and Isandhlwana (Vol. 1, No. 1) by the South African/Azanian Revolution, were also found to be undesirable and all future editions of these two publications have been declared undesirable. Notices to this effect will be published in the Government Gazette today.

From today, it will be an offence to import and/or distribute the following publications (name of author or producer in brackets):

- The Sexual Outlaw (John Rechy)
- Secret Society (Oliber Onyeama)
- With Rabbit Band (Merry Jay Simmons)
- Nes, A Young Emmanuelle (Emmanuelle Arsan)
- As God For Other (Gordon Merrick)
- Paradise (Patrick Dennis)
- The Secret Paris of the 30s (Brass)
- Dunlop Calendar - 1979 (Picture International Ltd)
- The Advocate (Issue 135, April 10, 1974; Issue 198, September 8, 1976; Issue 204, December 1, 1976) (Advocate Publications, Inc., Los Angeles)
- The Vice and Spice of the Americas (after Dark) (Eugene Grapton)
- Art Review Calendar (Printed by Ogilvy & Mather, Johannesburg)
- The Wrestlers (Statuette) (unknown)
- Education: The Practice Of Freedom (Paulo Freire)
- Muslim News - Vol. 18, No. 23, Friday, December 15, 1978 (Muslim News Publications, Athlone, Cape Town)
- Prisoners of Apartheid (International Defence and Aid Fund in cooperation with United Nations Centre Against Apartheid, London)
- Gag Card condoms (Yumbo)
- Handy 88 (object code)
- Anti-Muslim (object code)

From today, it will be an offence to import and/or distribute, and also future editions of the following publications which are in the interest of book sellers, self-publishers, or sale editions, and future editions of the following publications:

- The Advocate, Issue 204, December 1, 1976 (Advocate Publications, Inc., Los Angeles)
- Isandhlwana (Vol. 1, No. 1) (South African/Azanian Revolution News)

Notices to this effect will be published in the Government Gazette today. From today, it will be an offence to import, except by authorisation of a permit, the publications of the following publishers:

- International Defence and Aid Fund for South Africa, 104 Newgate Street, London
- Sapa

REPUBLIEK VAN SUID-AFRIKA



REPUBLIC OF SOUTH AFRICA

Verw./Ref. No.  
Tel. No. 48-6912 x

DEPARTEMENT VAN JUSTISIE  
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PRETORIA  
DEPARTMENT OF JUSTICE

DEPARTEMENT VAN BUITELANDSE SAKE  
DEPARTMENT OF FOREIGN AFFAIRS

Privaatsak/Private Bag XI41

PRETORIA

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29 -8- 1975

- THE SECRETARY FOR JUSTICE
- THE SECRETARY FOR SECURITY INTELLIGENCE
- THE COMMISSIONER OF POLICE  
(Security Branch)
- THE COMMISSIONER OF PRISONS

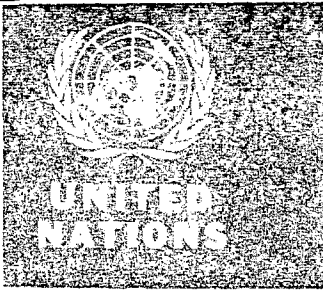
UNITED NATIONS UNIT ON APARTHEID PUBLICATION NO. 26/75

-- Attached for your information is a copy of edition No. 26/75 in the series "Notes and Documents" published by the UN Unit on Apartheid. The edition, entitled "Recent Developments in southern Africa and Our Task", contains excerpts from the statement delivered by Canon Collins, President of the International Defence and Aid Fund for southern Africa, at the April 1975 Seminar on South Africa, and the text of his opening address to the 12th Annual Conference of the IDAFSA on 3 May 1975.

*Sturmer*  
 SECRETARY FOR FOREIGN AFFAIRS

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# UNIT ON APARTHEID

DEPARTMENT OF POLITICAL AND SECURITY COUNCIL AFFAIRS

No. 26/75

NOTES AND DOCUMENTS\*

July 1975

## RECENT DEVELOPMENTS IN SOUTHERN AFRICA AND OUR TASK

by

The Reverend Canon L. John Collins  
President, International Defence and Aid Fund  
for Southern Africa (IDAFSA)

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[The International Defence and Aid Fund for Southern Africa was established in 1964, in order to assist in the development of a non-racial society in southern Africa based on a democratic way of life, with the following objects:

- (1) to aid, defend and rehabilitate the victims of unjust legislation and oppressive and arbitrary procedures
- (2) to support their families and dependents
- (3) to keep the conscience of the world alive to the issues at stake.

The Fund has national committees in several countries, including Australia, Ireland, Netherlands, New Zealand, Sweden, Switzerland, the United Kingdom and the United States of America. At its twelfth annual conference in May 1975, the Fund reviewed its work in the light of the rapidly changing situation in southern Africa, and decided to extend its existing research facilities in London into an international centre for research and information on southern Africa, as a contribution to the cause of racial harmony and justice and as a service to the liberation movements.

The United Nations Special Committee against Apartheid has appealed for contributions to the Fund in order to enable it to discharge its task.

Enquiries about the Fund's publications regarding southern Africa and donations to further its humanitarian aims may be addressed to the national committees, whose addresses appear in the annex to the present paper.]

75-14685

\* All material in these notes and documents may be freely reprinted.

Acknowledgement, together with a copy of the publication containing the reprint, would be appreciated.

EXCERPTS FROM THE STATEMENT AT THE SEMINAR OF THE SPECIAL  
COMMITTEE AGAINST APARTHEID\*

Paris, 30 April 1975

I am honoured to have been asked to lead the discussion on the campaign for the release of political prisoners in South Africa, as well as those subject to restriction for their opposition to apartheid. I deeply regret my inability to attend the seminar.

Some years ago, at the request of the African National Congress of South Africa, the International Defence and Aid Fund took over responsibility for the international campaign for the release of political prisoners in southern Africa. This campaign, though it has provided a constant exposure of the misleading and often lying propaganda for which the South African and Rhodesian régimes have been responsible, has, so far, if any, dramatic successes to record.

But at the present time, conditions in the world in general, and in southern Africa in particular, being what they are, there are grounds for hoping that a renewed effort, on a deeper and wider basis, could lead to more positive results.

Mr. Vorster's attempts to achieve a political détente in southern Africa suggests that he is aware of a weakness at the heart of the apartheid régime - a weakness that has been exacerbated by reason of the victories over white-dominated régimes in Mozambique and Angola, the growing dangers to South Africa's control over Namibia, and the failure of Mr. Smith to crush the effective military resistance to his régime by the Zimbabwean liberation movements. And it is in the light of this awareness on the part of Mr. Vorster that we need to assess his attempts to hoodwink the whole of southern and central Africa into believing that they are, and must continue to be, economically dependent upon the flourishing economy of a white-dominated South Africa.

Current events in South Africa point to a growing strength, militancy and hope on the part of the opponents of apartheid. Of these developments Mr. Vorster must be fully aware and considerably afraid. Maybe he will, as frightened men often do, decide upon more ruthless oppression, greater intransigence, more vicious cruelty than ever before. But the writing is on the wall for him and for all who support the policies and practices of apartheid to read. And for all who are opposed to apartheid, that writing on the wall must be a stimulus for greater and more effective action in support of those who suffer the burden and heat of the struggle for freedom, justice and peace in the whole of southern Africa.

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\* Canon Collins was unable to attend the Seminar. The statement was read by Mrs. Phyllis Altman, General Secretary of the International Defence and Aid Fund.

As President of the International Defence and Aid Fund for Southern Africa, I wish to assert our commitment to continue offering the maximum possible service of which we are capable to the liberation movements of South Africa, of Namibia and of Zimbabwe until that day when, throughout the whole of southern Africa, there is freedom from every vestige of white supremacy and from every vestige of the evils that always result from racial intolerance and racial discrimination. To this end, we plan, under the clause in our terms of reference, "to keep the conscience of the world alive to the issues at stake," a vigorous renewal of our campaign for the release of all political prisoners in South Africa, Namibia and Zimbabwe and for a cessation of all harassments, injustices and cruelties of every kind meted out to those who are opposed to apartheid.

OPENING ADDRESS TO THE 12TH ANNUAL CONFERENCE OF THE  
INTERNATIONAL DEFENCE AND AID FUND

DUBLIN, 3 MAY 1975

At this 12th annual conference when we come together to discuss the policies of the International Defence and Aid Fund for Southern Africa, we meet, as in previous years, in hope, but also with a sense of frustration, a sense of urgency, and a sense of crisis. Of frustration because there is so much still to be done: however great our successes - and there have been many of these - and however great the number of people we have been able to help, there is always a growing number of victims of the cruel and vicious tyranny of apartheid and its attendant evils.

We meet with a sense of urgency in the knowledge that every year that passes is another year of wasted life for those brave men and women who spend their days in South African gaols for no other reason than their refusal to remain passive under a racist tyranny; it is another wasted year for all who are banned and detained, and for all children and young people who are denied education and opportunity simply because of the colour of their skins; it is another year of deprivation for all the thousands who are daily denied many of even the most elementary of human rights.

And we meet with a sense of crisis, because we recognize the real threat to peace that is inherent in the policies of the present white régimes in southern Africa. God forbid that anything comparable to the tragedy of the past thirty years in Vietnam should ever come to Africa; but this is by no means an impossibility so long as the black majorities in southern Africa are politically silenced and enslaved.

Exciting new possibilities

All these feelings and considerations are still with us. But this year there must be a new and in some way exciting element in our deliberations. It is exceedingly important, I think, that we look clearly and critically at what is now going on in southern Africa under the name of "détente". It is vital that the International Defence and Aid Fund, and its affiliated committees in different countries, should clarify as far as possible where we and they stand on this crucial issue.

First we welcome whole-heartedly the collapse of the Portuguese colonial empire, and the liberation of Mozambique, Angola and Guinea-Bissao. And we note, to judge by Mr. Vorster's sudden and uncharacteristic scurryings around Africa, how much this event has frightened South Africa, and, of course, white-dominated Southern Rhodesia also. A situation full of exciting new possibilities has come into being in a shorter time than most of us might have predicted.

Secondly, we see the efforts made by the Presidents of Zambia and Tanzania, to bring pressures upon Mr. Smith and Mr. Vorster, in the hope of achieving some kind of peaceful settlement in southern Africa. No sane person can do anything but applaud genuine efforts made for peace. Presidents Kaunda and Nyerere are two very outstanding and respected African leaders; both, incidently, are old friends of mine, and both are patrons of the International Defence and Aid Fund.

Both, it is true, have tremendous social and economic problems to face in their own countries; but such considerations do not throw any doubts upon their genuine sympathies, intentions and integrity. But anyone who has lived, as I have, through the Hitler era, will recognize only too well that peace cannot be bought at any price. A peace that is not securely based upon freedom and justice, upon human rights for all, is no peace at all: it is merely a buying of time in the hope that the inevitable suffering and violence that results from oppression and injustice will fall on shoulders other than your own.

#### Violence and non violence

I shall return to this cautionary note, but I would like, for a moment, to speak - if you will forgive me - somewhat personally of the attitude of the International Defence and Aid Fund to violence and the use of force. I believe that violence always breeds violence; and that, until the human race learns to settle differences by non-violent means, injustices, oppression and violence will continue to be the common lot of mankind.

I call myself a Christian pacifist - though, I have to add, a reluctant pacifist whenever I think of the sufferings of those who are subjected to the violence of others. But I sincerely believe that whenever the Christian Churches, through their bishops, or priests or ministers, have espoused violence in the pursuit of a secular cause however just or legitimate, the results have been disastrous; religious or so-called holy wars have been proved to be some of the most cruel and most savage wars in history.

So it is that all the work I have tried to do, including my work in regard to southern Africa, has been rooted in my concern for a peaceful settlement of the problems, economic, social and political, that beset mankind. When, in 1954, I paid my one and only visit to South Africa, the African National Congress was dedicated to a policy of non-violence. This was evidenced in the non-violent Defiance Campaign of the early 1950's, during which, at the request of the African National Congress (ANC) supported by Father Trevor Huddleston (now Bishop of Stepney in London), Christian Action under my chairmanship had enthusiastically given support to the best of our ability. I found myself in total sympathy with the thinking and the leadership of Chief Luthuli, that great and good man who, as well as being leader of the ANC, became a worthy and respected winner of the Nobel Peace Prize.



But the object of non-violence is to succeed by changing the heart of the oppressor. And while this had a partial success in India under Mahatma Gandhi, and in America under the leadership of Martin Luther King, for many reasons it has had none at all in South Africa. We all know what happened at the peaceful demonstration by unarmed men and women at Sharpeville in 1960.

It was soon after this event that a crucial turning point came for me, when I received a message from Walter Sisulu, the Secretary General of the ANC, now serving a life sentence on Robben Island. He told me that the ANC had decided, reluctantly, that it must now begin to meet the violence of the South African state with violence. He asked whether, in these circumstances, the ANC could continue to count on support from what was then the British Defence and Aid Fund.

It seemed clear to me that a humanitarian and Christian-based fund such as ours could not directly support violence by giving money to be spent on arms. This, however, was not what we were being asked to do; nor has any African leader at any time since approached me with any such request. It was equally clear to me, that nobody - and certainly no European - has any right to criticize, let alone condemn, men and women driven beyond endurance, who may decide to seek their freedom by violent means. So I replied to Walter Sisulu that, so long as I was in charge, Defence and Aid would continue to provide support, in accordance with its terms of reference, for the victims of apartheid in their struggles for freedom and for their families and dependants. Whatever men and women may have done, they are entitled to a proper trial, and to defence in the courts by lawyers of their own choice; and the sufferings and deprivations of their dependants should be alleviated in every possible way. That has remained the attitude of the International Defence and Aid Fund ever since.

Of course, as with so many things in life, this policy is something of a compromise. It lays us open to the charge that we are in fact supporting violence, that we make it easier for men to take up arms because we are prepared to care for their families and dependants and, as far as possible, for them too. It also lays us open to the opposite charge of being half-hearted and hypocritical in our service to the liberation movements. I accept that there may be substance in both these charges. I do so in the belief that any political decision is likely to be something of a compromise and must, therefore, fall short of the ideal; but to make no decision at all is a far worse compromise, a real abdication of responsibility.

In fact our position has always been accepted with the utmost understanding, respect and generosity by the leaders of the liberation movements. They have often said to me, and I believe it to be true, that by sticking to our independent position, by offering our particular form of service to them, we can in fact best help towards realizing the aim that we share with them: "the development of a non-racial society in southern Africa based on a democratic way of life".

Smile on the face of the tiger

With these thoughts in mind, I turn again to present affairs. "Détente" can only be judged by its fruits. It can only be justified if we can see in it some movement towards a non-racial and democratic way of life in southern Africa. Do we see any such evidence? I submit that ~~in spite of~~ Mr. Vorster's promises, in spite of the thousands of pounds that the South African Government is spending on advertising its supposed good actions and good intentions, all this is but the smile on the face of the tiger. It is our job to know what is really going on inside South Africa, and I fear that there is no evidence at all that the whites under Vorster have any intention of abandoning in any significant way any of their power and their privilege. There may be a few phoney gestures: we hear, for instance, that Africans may soon officially be allowed to enter 5-star hotels - only visiting diplomats could afford these anyway - but that they will still be barred from the cheaper hotels and restaurants which might conceivably be within their reach!

Meanwhile the evidence that we have from inside South Africa is that the bannings continue, the detentions without trial continue, solitary confinement continues, beatings and torture continue, deportations continue, the savage so-called anti-terrorist legislation is still in force, and under it men and women are still being arrested, tried and sentenced.

Mr. Vorster has been pressurizing Mr. Smith to do all kinds of things that he is not prepared to do himself. Mr. Smith may be forced to release his political detainees; though even in this a kind of cat-and-mouse game of release and re-arrest seems to be going on. But when is Mr. Vorster going to establish his good intentions by declaring an amnesty for the political prisoners in his own country, and for the detainees, the banned and the house arrested, and those driven into exile? What about the men on Robben Island? When is Mr. Vorster going to allow them to take positions in South African society that are their due and that they would occupy in any really democratic and civilized state?

I very much fear that what we are witnessing today is a tactical retreat by apartheid South Africa into the laager. It appears that Mr. Vorster's much-vaunted change of heart is a window-dressing exercise designed only to safeguard "white supremacy" for as long as possible. He hopes to build up around South Africa a group of client states on the analogy of the homelands, which will be so economically dependent on South Africa that they will be unable to assist in any way in the liberation of their fellow-Africans. He may hope to include in such states a Namibia which is thought to be liberated but which is in fact independent only on Mr. Vorster's terms; it might even include a Rhodesia with some kind of token multi-racial government. But as the whites within South Africa become increasingly insecure the persecution of the opponents of apartheid is likely to get progressively worse.

Expose Vorster's hypocrisies and lies

Within the so-called homelands as well as within white South Africa, Mr. Vorster cunningly tries to build up tribal antagonisms and to exploit the natural rivalries common to men everywhere as they strive to achieve power and self-expression. We all know how fatally easy ~~it~~ is for unscrupulous men to play upon the mutual suspicions and fears of different groups in any community. And let no one forget that Mr. Vorster is a very cunning politician. He must be watched and exposed at every point.

What happens in South Africa remains the key to the future of the whole continent. As long as the majority of its people is enslaved, the freedom of other African states is compromised. Is it not evident that this is what Zambia and Tanzania have been discovering? The only true peace is one that is based upon freedom and justice for all.

On one point only am I in agreement with Mr. Vorster: that is when he says that the alternatives to peace are too frightful to contemplate. But the kind of phoney peace that he appears to be offering is not one that will, in the end, avoid those alternatives. That is why I believe that the International Defence and Aid Fund must take its stand with the United Nations and must reaffirm its support for the basic aims of the liberation movements. The International Defence and Aid Fund would be the first to applaud and support any movement towards a genuinely peaceful solution in southern Africa; it is to this end that we exist. But we must never be deceived into accepting any ersatz article for a genuine liberation.

Our tasks remain as they have been from the beginning, but in the present situation our work under Clause III of our terms of reference - "to keep the conscience of the world alive to the issues at stake" - becomes even more important.

Everyone hopes for peace and will grasp at any straw that seems to offer a hope of peace. And people are too often pre-disposed to believe what they want to believe. There are millions of people, by no means all bad or more than ordinarily self interested, who long to believe that a peaceful progress towards liberation is now beginning in South Africa. It is our difficult and unpopular task to carry on - as we have always done - trying to expose Mr. Vorster's hypocrisies and lies, and trying to present the truth to the world. And the truth as I see it, in 1975, is that we are still a very very long way from peace and freedom in southern Africa, that the road to a true peace is still long and hard and full of suffering.

The need for the work of the International Defence and Aid Fund is as great, and may well become greater, than ever before.

Annex

ADDRESSES OF IDAFSA NATIONAL COMMITTEES

Great Britain:

Defence and Aid Fund  
2 Amen Court  
London EC4M 7BX  
Chairman: Canon L. John Collins

New Zealand:

New Zealand Defence and Aid Fund for  
Southern Africa  
P.O. Box 27125  
Wellington 1  
New Zealand  
Chairman: Rev. Godfrey Wilson

Australia:

Southern Africa Defence and Aid Fund  
P.O. Box 3316  
Sydney 2001  
Australia  
Chairman: Mr. John Brink, M.B.E.

Sweden:

Dean Gunnar Helander  
Västra Kyrkogatan 3  
Västerås 72215  
Sweden

Denmark:

Fællesrådet for Sydafrika  
U-centeret  
Sct. Peders stræde 30  
1453 København K  
Denmark

Switzerland:

Commission de Parrainage Scolaire  
Case Postale 182  
1211 Geneva 12  
Switzerland  
Madame D. Perrot

Ireland:

Irish Defence and Aid Fund  
173 Berton Road East  
Dundrum Heights  
Dublin 14  
Ireland  
Secretary: Mr. Kader Asmal

27 chemin des Crets  
CH 1218 Grand Saconnex  
Geneva  
Switzerland  
M. Gilbert Rist

USA:

International Defense and Aid Fund  
(American Branch)  
1430 Massachusetts Avenue  
Room 201  
Cambridge  
Massachusetts 02138  
U.S.A.  
Professor Leslie Rubin  
Rev. Kenneth Carstens

Netherlands:

Defence and Aid Fund (Nederland)  
Wouwermanstraat 17  
Amsterdam 1007  
Netherlands  
Chairman: Dr. C.J. van Andel

Norway:

Norwegian Council for Southern Africa  
Langesgt. 5  
Oslo 1  
Norway  
Mr. Stig Utman  
Mr. Ivar Alns

*19/8/74*

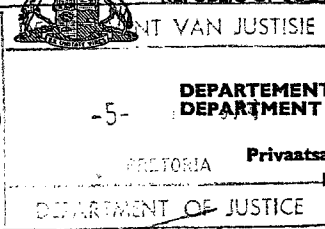
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REPUBLIC OF SOUTH AFRICA



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DEPARTEMENT VAN BUITELANDSE SAKKE  
DEPARTMENT OF FOREIGN AFFAIRS

Privaatsak/Private Bag XI41  
PRETORIA

30 - 8 - 1974

THE SECRETARY FOR SECURITY INTELLIGENCE

THE SECRETARY FOR JUSTICE

COMMISSION OF INQUIRY ON THE REPORTED MASSACRES IN MOZAMBIQUE

Attached for your information is an extract from document A/AC.165/PV.4, dated 30 July 1974, being the provisional record of testimony taken at the fourth meeting of the United Nations Commission of Inquiry on the Reported Massacres in Mozambique, held in London on 17 May 1974.

The mandate of the Commission is spelled out in operative paragraph 2 of resolution 3114 (XXVIII) of 12 December 1973, by which the General Assembly:

"Instructs the Commission of Inquiry to carry out an investigation of the reported atrocities, to gather information from all relevant sources, to solicit the co-operation and assistance of the national liberation movement and to report its findings to the General Assembly as soon as possible."

The extract relates to the hearing of Mr Alan Brooks, Director of Research Department, International Defence and Aid Fund, who speaking on behalf of the International Defence and Aid Fund for Southern Africa stated that the Aid Fund exists primarily for the purpose of giving material and moral assistance to the victims of racialism, apartheid and colonialism in Southern Africa. He stated further that the Aid Fund receives considerable financial support from the United Nations Trust Fund for Southern Africa.

*f* *Symeonides*  
SECRETARY FOR FOREIGN AFFAIRS

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*Buller*

HEARING OF WITNESSES (continued)

The CHAIRMAN: Today we have before us Mr. Alan Brooks, Director of Research Department, International Defence and Aid Fund. I invite Mr. Brooks to come to the witness table.

At the invitation of the Chairman, Mr. Alan Brooks took a place at the witness table.

The CHAIRMAN: Mr. Brooks, we appreciate your willingness to appear as a witness before this Commission. It was established by the United Nations General Assembly to investigate reported massacres in Mozambique. It is a very serious problem which needs to be clarified beyond any reasonable doubt. We hope your testimony can lead to a clarification of what actually happened. All the information you may have on the reported massacres will be valuable to the work of the Commission.

It is the procedure of this Commission to request the witnesses to make a solemn declaration. The declaration reads: "I solemnly declare, upon my honour and conscience, that my statement will be in accordance with my sincere belief". Are you willing to make such a solemn declaration?

Mr. BROOKS: I am.

The witness made the solemn declaration.

The CHAIRMAN: Sir, your name is Mr. Alan Brooks. Your age?

Mr. BROOKS: Thirty-four.

THE CHAIRMAN: Profession?

Mr. BROOKS: Researcher.

The CHAIRMAN: Your address, please.

Mr. BROOKS: 51 Dollis Park, London N3.

The CHAIRMAN: What are your sources of information on the reported massacres?

Mr. BROOKS: Mr. Chairman, may I ask your leave to make a short statement and then to answer any questions?

The CHAIRMAN: No, no. I think if your statement contains all the answers to this question, I will have another question before I go further. Now, we find that there is a book called Terror in Tete, (?) published by the International Defence and Aid Fund. Is it published by you, Sir?

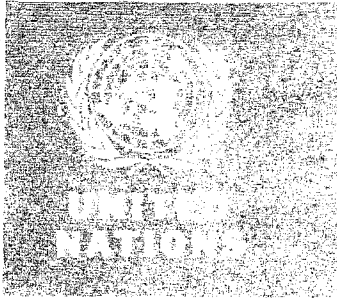
Mr. BROOKS: It is, Sir.

The CHAIRMAN: Now, if you would like to give more information, please go ahead with your statement.

Mr. GRAHL-MADSEN: Could we have ... (inaudible)

Mr. BROOKS: Mr. Chairman and gentlemen, I am speaking today on behalf of the International Defence and Aid Fund for Southern Africa. The International Defence and Aid Fund exists primarily for the purpose of giving material and moral assistance to the victims of racialism, apartheid and colonialism in southern Africa. It exists also for the purpose of keeping the conscience of the world alive to the issues at stake in southern Africa.

As you probably know, we are recognized, for the purposes for which we exist, by the United Nations, and we receive considerable financial support from the United Nations Trust Fund for Southern Africa. We also receive direct financial assistance from several Governments, principally those of Scandinavian countries.



# UNIT ON APARTHEID

DEPARTMENT OF POLITICAL AND SECURITY COUNCIL AFFAIRS

No. 2/74

NOTES AND DOCUMENTS\*

February 1974

## POLITICAL PRISONERS IN SOUTH AFRICA

Paper by the International Defence and Aid Fund for Southern Africa

[Note: This issue contains a paper prepared by the International Defence and Aid Fund for Southern Africa (IDAF) for a Conference on "South Africa - the Imprisoned Society," held in London on 8 December 1973 to launch a campaign for the release of South African political prisoners.

The United Nations General Assembly, in resolution 3055 (XXVIII) of 26 October 1973, had appealed to all Governments, organizations and individuals to undertake more vigorous and concerted action to publicize and support the legitimate cause of all those persecuted in South Africa for opposition to apartheid and racial discrimination.

The London conference was organized jointly by the Anti-Apartheid Movement, the IDAF, the National Union of Students, Liberation, London Trades Council and other groups with the sponsorship of a number of British leaders, as well as 40 former South African political prisoners.

The IDAF, led by the Reverend Canon L. John Collins, has long been the principal source of support for the legal defence of political prisoners in southern Africa and assistance to their families. It has campaigned actively for the liberation of all persons persecuted by the South African Government for their opposition to apartheid. Its work has been commended by the United Nations Special Committee on Apartheid and by the South African liberation movement.

74-05634

\*All material in these notes and documents may be freely reprinted.

Acknowledgement, together with a copy of the publication containing the reprint, would be appreciated.



## POLITICAL PRISONERS IN SOUTH AFRICA

### Introduction

This paper deals with the detention and imprisonment of men and women from South Africa. To restrict the subject in this way is, in an important sense, misleading. To the men behind barbed wire in 'bachelor hostels' in Langa, in nine compounds on the Witwatersrand, and to their families in barren 'homelands', the distinction between their lives and the lives of those on Robben Island must often appear academic. If the term 'political prisoner' is to have any meaning, there are 16 million political prisoners in South Africa. In the words of a released white political prisoner, 'I had to go inside prison to find out what it was like to be a black outside.'

A primary distinction must be made between (a) detainees held without trial; and (b) convicted prisoners, sentenced in the courts.

At the same time, there are the restrictees - political opponents of the government who, without trial or recourse to the courts, are banned, restricted or banished, and who, in effect, are made to be their own jailers.

The first great wave of political prisoners after the shootings at Sharpeville in 1960 entered South African prisons during the State of Emergency declared after the shootings. By the end of the emergency in August 1960, 11,503 persons had been detained without trial for periods of up to 5 months; 774 persons were convicted in 1960 and sent to prison, mainly for periods of less than 3 years. Since then a series of laws of increasing severity, defining political offences more and more widely, has considerably enlarged the power of the State and that of the Security Police. From 1960 to 1967, 140,000 people were convicted of, or detained without trial, for political offences.

#### A. Detainees

##### 1. The laws

Proclamations 195 (1927, re-enacted in 1967), R400 (1960) and R17 (1972) apply to Africans or in African areas only; the latter two allow for indefinite detention.

The 180-day and 14-day laws (1965) and Section 6 of the Terrorism Act (1967) apply universally, the last providing for indefinite detention incommunicado in solitary confinement. A seventh law, the 90-day law, was suspended at the end of 1964.

##### 2. Number of detainees

It is impossible to find out how many people have been detained since the passing, in 1967, of the Terrorism Act, which forbade publication of such figures.

What is known is that, from 1963 to 1967, at least 2,400 persons were detained without trial, some for periods of 200 days or more.

The following figures cover detentions under laws other than the Terrorism Act:

	<u>1965-67</u>	<u>1968-70</u>
180-day law	400	66
Proclamation 400	271	95

Figures for detentions under Section 6 of the Terrorism Act are not published and the fact that a larger number of detentions take place under this Act accounts for the apparent decrease in the above numbers. It is clear that detention periods under Section 6 have been much longer. For example, two detainees who were eventually brought to trial - Mr. Peter Magubane and Mr. Benjamin Ramotse - had been held for 586 days and 28 months respectively. A third, Mr. Desmond Francis, who was called as a witness, had been held in solitary confinement for 421 days.

### 3. Conditions for detainees

Detainees are held at the absolute discretion of the Security Police. They are allowed no visits or letters or any access at all to the outside world. Detainees under the 180-day law are required to be visited by a magistrate once a week; detainees under the Terrorism Act once a fortnight 'if circumstances permit'. The visiting magistrates have been criticized in the South African House of Assembly for being 'unobservant'.

Allegations of torture while in detention have become a regular feature of trials in South Africa. These allegations - by accused and by witnesses - are detailed and consistent, and describe treatment ranging from electric torture to the driving of nails through men's penises. The allegations are denied by the Security Police.

It has been officially admitted that 22 persons have died in detention, causes being given as 'suicide' (11), 'natural causes' (3), 'thrombosis' (1), 'broncho-pneumonia following minor head injury' (1), 'slipped on soap' (1), 'accidental fall down stairs' (1), 'unknown' (4). In addition to these, the Minister of Justice stated that in 1972, 40 persons, excluding those detained under the Terrorism Act, had died while in detention.

### B. Convicted Prisoners

#### 1. The laws

There are four main security laws: the Suppression of Communism Act (1950), the Unlawful Organisations Act (1960), the Sabotage Act (1962) and the Terrorism Act (1967).

#### 2. Numbers

By the end of 1966, according to official figures, the number of prisoners convicted under the main security laws rose to a peak of 1,825.

The numbers at the end of subsequent years were down as follows: 1967-1,335; 1968-1,019; 1970-809; 1972-464.

### 3. Conditions

Prisoners are held in three main prisons: Robben Island, black men; Pretoria Local, white men; Barberton, black women. There are no longer any white women political prisoners. It should be noted that Namibian prisoners are also held on Robben Island.

Conditions of political prisoners are tied to those of common law prisoners, but there are a number of areas where politicals are discriminated against and given special treatment. The Prisons Act of 1959 prohibited the publication of any false information concerning prisons or prisoners. It had the effect of a ban on the publication of any information whatsoever. The government has refused to hold any public enquiry into prison conditions.

#### The Strachan Revelations

In 1965 the Rand Daily Mail published a series of interviews with Mr. Harold Strachan, a released political prisoner. Mr. Strachan told a shocking story of sadistic warders, filth, obscenity and brutality, African prisoners 'herded like animals'; of government by caprice; and the flouting of regulations by prison authorities.

The State subsequently laid charges against Mr. Strachan, the journalists and the newspaper, but the disclosures had, in the words of a recently-released political prisoner, 'broken open the whole system'. Several improvements in the physical conditions of the prisoners (not only politicals) followed and outside concern at the revelations led, for instance, to the building of a new section in Pretoria for white politicals, with better living quarters and a workshop. But conditions in black prisons are clearly worse than for whites. In 1969, the Minister of Prisons said no workshop would be established on Robben Island: black prisoners could stick to their work of breaking rocks and collecting sand and seaweed.

#### The Robben Island petition and the Diemont judgment

In 1973, black politicals presented a petition to the Commanding Officer of Robben Island. Complaints included: harassment and assaults by certain warders; denial of library, recreational and study facilities; insufficient and unpalatable foods; dangerously casual and unhygienic medical attention; contradictory and capricious instructions; and denial of information on their rights.

At least one of the prisoners connected with the petition was punished with 6 months' solitary confinement. In a court action arising out of this punishment, Mr. Justice Diemont declared that the punishment was illegal and ordered that prisoners be given copies of the Prison Regulations on request.

He ruled, however, that access to library and recreation facilities, and permission to pursue courses of study, were not prisoners' by right - they could be granted at the discretion of the prison authorities.

#### Women

Barberton Prison has been largely ignored in the publicity and pressure that has brought about reforms for the men. It is a harsh punitive prison in the hot lowveld. The women are held in a tiny section, their longest walk being 10 yards to the matron's office. There are no recreational facilities whatever and the women are not even allowed to look out of their cell windows. They do washing and cleaning.

#### 4. Special treatment of politicals

Officials deny that there are 'political prisoners' in South Africa and say that no prisoners are discriminated against. But the treatment of the political prisoners clearly differs from that of common law prisoners in a number of important aspects.

##### (a) No remission, amnesty or parole.

This means, for example, that a man with a life sentence faces the prospect of never leaving prison.

##### (b) No news, radio or newspapers.

This is an arbitrary order from the Security Police, which the Prisons Department must enforce and which creates severe additional tensions on all aspects of prison life, particularly letters and visits which are closely censored and monitored.

##### (c) No remuneration for work.

##### (d) Placing in Grade D.

The system of placing prisoners in categories A to D, with accordant privileges, is used as a weapon against the politicals, who invariably begin in Grade D and find 'promotion' slow and difficult. (Grade D prisoners were initially allowed one-half-hour visit and one 500-word letter every 6 months. This has improved to the extent that Ds are now allowed a letter a month. The pinnacle of privilege is A group, with 3 letters and two half-hour visits a month.)

#### 5. Arbitrary withdrawal of other privileges

Library and study facilities are often denied to politicals in an attempt to ensure 'good behaviour', and as a means of psychological torture.

#### 6. Ultra-strict enforcement of regulations

One Commanding Officer told politicals in Pretoria: 'I can use the regulations to break you'. For instance, though the regulations stress

maintenance of contact with relatives and friends as an important aspect of treatment, in the case of politicals other regulations are used to prevent this. Mr. Bram Fischer was refused permission to attend his son's funeral. Reasons are found to withhold letters. Normal contact and privileges allowed for A group prisoners are denied to politicals.

C. Restricttees

1. The banned

The Suppression of Communism Act of 1950 empowered the Minister of Justice to ban publications, organizations, meetings or individuals if, in his opinion, they in any way furthered the aims of 'communism'. The interpretation of this term is remarkably wide and has been used against most authentic opponents of apartheid. The initial banning orders prohibited persons from attending "any gatherings with a common purpose". Amendments to the Act in 1962 substantially increased the scope and severity of the banning orders: a banned person, as a member said in the House of Assembly, was made to suffer 'civil death'.

The Minister of Justice is not obliged to give any reasons for imposing the restrictions. The banning orders are usually issued for two- or five-year periods and are renewable. A ban effectively makes a person his own jailer.

Banned persons can be prohibited from attending any gatherings, whether with a common purpose or not. Definition of a gathering has been accepted by the courts as a meeting of two or more persons, including the banned person. Banned persons have been convicted of breaking their bans, for example, by playing bridge, by chaperoning a daughter to a New Year's Eve party, and by sitting in a kitchen while a party proceeded in the living room.

Banned persons can be required to report to the police either daily or weekly or, in special cases, more frequently: one man whose work took him outside his own magisterial district had to report four times to the police on work-days.

Failure to report has led automatically to conviction; in one case at least, even when a banned person had obtained prior permission from a police officer to report at a different time.

Movement can be severely restricted. A banned person can be confined either to a specified magisterial district (not necessarily his own home district) or, in the case of "house arrest", to his own flat or house. The restrictions apply outside of working hours and at weekends and all public holidays and can also be imposed for 24 hours of every day.

Banned persons can be prohibited from entering certain areas and premises such as areas set aside for other race groups, factories, educational premises and premises where any publications, including

newspapers, are prepared. This provision has led to many opponents of apartheid being forced out of their employment, and it imposed an effective ban on the activities of many trade unionists.

It is an offence to publish or disseminate anything that a banned person has ever said or written. The ban does not apply only to political statements but to all statements and writings. In this way, South Africa's Nobel Peace Prize winner, Albert Luthuli, was not publicly heard of after his banning in 1962. Only his death in 1967 was reported.

Banned persons are forbidden to communicate with other banned persons. In some cases the Minister has granted exemptions to banned husbands and wives.

The minimum sentence for breaking a ban is one year's imprisonment. Magistrates have tended to mitigate this by suspending much of the sentences in trivial cases, but the threat remains. The maximum sentence for breaking a ban is three years - or, in the case of failure to report to the police, 10 years.

In June 1968, there were 741 banned persons in South Africa. By July 1973, there were 200. Many people, forced out of their employment by their bans, have gone into exile.

Most political prisoners, at the end of their prison terms, are now severely restricted. The African prisoners are often sent on release, to "resettlement camps" where the opportunities of any employment are remote.

## 2. The banished

The Bantu Administration Act of 1927 empowered the Government to order the removal from one place to another of any tribe, portion of a tribe, or individual African. This power was rarely used before 1948, but the Nationalist Government, which came to power in that year, has frequently used it to banish political 'agitators' to remote areas. By 1961, 126 men and women had been so banished. If no employment was available, they received a total of £2 a month in allowances.

As of July 1973, only two persons remained 'banished'. Instead of banishment, the Government is now using the ubiquitous policy of resettlement, which affects whole communities.

In addition, Proclamations R400 (1960) and R17 (1972) empower tribal chiefs, in the Transkei and Ovamboland (Namibia) respectively, to banish their 'subjects'.

List of Political Prisoners

(Note: Only prisoners serving sentences of five years and more have been included in this list. It must be stressed that this list cannot, because of circumstances in South Africa, claim to be comprehensive, or even absolutely accurate. It includes, for instance, "two juveniles" - the only mention made in the records of a case, in 1965, involving two persons sent to jail for life. In a number of cases, the actual dates of the trials are given as "unknown": the fact that these persons were in prison, often for long periods, emerged only subsequently. Most of these cases are probably from the unpublicized trials which took place in remote towns in the Eastern Cape from 1963 onwards.

(Names marked with an asterisk are of Namibian prisoners held on Robben Island, off Cape Town, by the South African authorities.)

<u>Name</u>	<u>Sentence in years</u>	<u>Year of conviction</u>	<u>Name</u>	<u>Sentence in years</u>	<u>Year of conviction</u>
ALEXANDER, Neville	10	1964	* EKANDJO, Eino	20	1968
* AMUNGULU, Naftalie	20	1968	ESSOP, Mohammed Salim	5	1972
ANTHONY, Frank	6	1972	FAZILE, Jackson	12	1965
APRIL, James Edward	15	1971	FAZZIE, Henry	12	1963
BABENIA, N.	16	1964	FIHLA, Benson	14	unknown
BAHILA, Ephraim	12	1963	FISCHER, Bram	Life	1964
BAM, Fekile	10	1964	FRANCIS, J.	15	1963
BAOLATI, Thomas	10	1965	GCANGA, William	10	1965
BAPHELA, Patrick	10	1965	GCEBENI, Jackson	10	1965
BEJA, Rhodes	12	unknown	GOLDBERG, Dennis	Life	1964
BELL, Alfred	12	1966	GQABI, Joe	10	1965
BHENGU, Siegfried	10	1965	GQIRANA, Mibbs	12	1965
BLAAU, Jackson	10	1965	GUDDLE, Tiba	10	1965
BONANI, Milton	12	1963	GUMBI, Mshiyani	12	1965
BRANDER, Simon	15	1963	* HAITA, Justus Festus	Life	1969
CHIBA, Laloo	18	1964	* HAITA, Solomon Festus	Life	1969
CHIBANE, Samuel	Life	1963	* HALUTENI, Abel	Life	1968
CHILOANE, Abel	15	1963	* HAMULEMO, Simeon	Life	1968
CHIRWA, James	12	1963	HANDULA, Government	10	1965
CHOLO, Theophilus	15	1973	HASSIM, Kader	8	1972
CULAYA, Joseph	10	1965	* HAUFIKU, Nchidipo Jasaja	20	1968
DANIELS, Eddie	15	1964	HENGE, Butani	10	1966
DAVIS, Rev. Don	10	1964	HERMANUS, Jim Jonathon	7	1969
DAWETE, Thompson	14	1964	HLATSHWAYO, Peter	12	1965
DESAI, Amina	5	1972	HLAYA, Mnyamane	12	1965
DHLAMINI, Themba	18	1969	* HOMATENIE, Nathaniel Lot	5	unknown
DINGAKE, Michael	15	1966	HOSEY, John William	5	1973
DOORSAMMY, K.	14	1964	* IPANGELUA, Joseph	Life	1969
DUMA, Alfred	10	1964	ISAACS, Sedrick	12	1964
DU FREEZ, Richmond	12	1963	ISMAIL, Ibrahim	15	1964

Name	Sentence in years	Year of conviction	Name	Sentence in years	Year of conviction
ITIKA, Sakeus Phillipus	Life	1968	MAPUNULO, Shadrick	10	1964
JAXA, Jack	17	1966	MAQEBULA, Nicholas	6	unknown
JOYI, Twalimfeni	5	1969	MAQOTSI, Silas	18	1969
"Juveniles, 2 African male	Life	1965	MASALA, Donald	11	1965
* KADIKWA, Rudolf	Life	1968	MASEMULA, Jeff	Life	1963
KALAKE, Everitt Tsolo	7	1967	MASHABA, Andrew	15	1964
* KAMATI, Petrus	Life	1968	MASHIGO, Eliphaz	10	1965
* KANYELE, Matias	Life	1968	MASOMELA, Andrew	12	1963
KATHRADA, Ahmed	Life	1964	MATHANGELA, Donald Sifiso	7	1969
KAULELA, Simon	9	unknown	MATHEBE, Harry	15	1965
KHALIPHA, Winifred	8	unknown	MATHEWS, Philip	12	1965
KHONZA, A.	12	1963	MATTHEWS, John Edward	15	1964
KHOZA, Joseph	12	1964	MATU, Xavier	8	1966
KITSON, Ian David	20	1964	MATUTSI, Isak	12	1963
KOMANISI, Ndzendz	6	unknown	MAYEKISO, Maxwell	12	1963
KONDAZI, Malcolmess	18	1964	MBANGA, Andries	10	1965
KONDILE, Bolente	15	1963	MBATA, Lombard	20	1963
LEBENYA, Sechaba Noel	5	1971	MBATA, William	10	1965
LENGE, Wilson	5	unknown	MBEKI, Govan	Life	1964
LENGISI, Amos	20	1969	MBELE, Mfolwane	8	1972
LETSOKO, Napoleon	17	1963	MBOFA, Wellington	11	1964
LOLIWE, ?	14	1965	MDHLALOSI, Zakela	10	1964
LUTHULI, Dilixolo	10	1969	METSHANE, Peter	10	1965
LUZIFO, Mqcini	13	1965	MHLABA, Raymond	Life	1964
MABIKA, Bangumozzi	10	1965	MJO, Brian	20	1964
MABUTO, Montford Mzoli	5	1971	MKEKEZE, Mnyamana	10	1965
MAGAMO, Peter	15	1964	MKETSHANE, Wilson	11	1965
MAGUMA, Wellington	5	unknown	MKHALIPI, Kwede	20	1966
MAGXAKI, M.	10	1965	MKWANAZI, Riot	10	1964
MAHANJAMA, Dom Gideon	7	1972	MKWAYI, Wilton	Life	1964
MAHARAJ, Sathyandranath	12	1964	MLAMBO, Johnson	20	1963
MAIMANE, Michael	20	1964	MLANDA, Felize	20	1964
MAKHALIMA, Matthews	12	1963	MLANGENI, Andrew	Life	1964
MAKINANA, Diliza	13	1965	MNYAMANA, Mkekeza	13	1965
MAKOFANA, J.	12	1963	MOENG, Mogami Josiah	6	1972
MALEEME, Mahlomano Joshua	10	1971	MOGORO, G.	12	1965
M. LEPE, Dimake	Life	1963	MOLEFE, Levy M.	12	1964
MALGAS, Ernest	12	1963	MOONSAMMY, K.	14	1964
MALI, Mabel	7 <sup>1/2</sup>	1968	* MOSES, Michael	Life	1968
MANDELA, Nelson	Life	1964	MOSINOA, Molefane	9	1965
MANGQANGWANA, Mpolise	18	1966	MOTJI, Alfeus	10	1965
MANTANYA, Temba	15	1963	MOTSOALEDI, Elias	Life	1964
MANTANYANA, Patrick	18	1969	MOUMBARIS, Alexandre	12	1973
MAFONYA, Russell	10	1965	MPANZA, Justice	15	1973



<u>Name</u>	<u>Sentence in years</u>	<u>Year of conviction</u>	<u>Name</u>	<u>Sentence in years</u>	<u>Year of conviction</u>
MQAZI, W.	12	1963	POKELA, John Nyati	13	1967
MQOZWANA	16	1965	RAFUSA, George	15	1963
MSHYENI	12	1965	RAMOKGADI, Martin	10	1964
MTALANA, Douglas	9	1965	RAMOSHABA, Matsao John	5	1971
MTHIMINYE, Isaac	Life	1963	RAMOTSE, Benjamin	15	1970
MTWALO, William	20	1963	SABEKWA, Isaac	10	1965
MXIMELA, Fana Cletus	15	1972	SCHOON, Marius	12	1964
NAICKER, George	14	1964	SEJAKA, Gardner Kitchener	15	1973
* NAILLENGE, Shinema	Life	1968	SELEKA, Gaboikangwe	18	1969
NAIR, Billy	20	1964	SHABALALA, Alfred	10	1964
* NAMBINGA, Rehabeam	Life	1968	SHABALALA, Mandhla	10	1964
* NANKUDHU, Johannes	Life	1968	SHABALALA, Moses	12	1964
* NASHIVELA, Jonas	5	unknown	*SHIFIDI, Immanuel	Life	1968
NCAPAYI, Sisa	12	1967	*SHIHONGELENI, Simeon	Life	1968
NDHLOVU, Curnick	20	1964	*SHIKOMBA, Gaus	Life	1968
NDUNA, Stanley	12	1965	*SHILONGO, Julius	Life	1968
NDUNGWANA, Richard	10	1965	*SHIMUEFELENI, David	20	1968
NDUZA, Jack	12	1963	*SHIMUEFELENI, Jonas	18	1969
* NEHALE, Festus	20	1968	*SHIPONENI, Johannes	Life	1968
NGCOBO, Bifana	18	1969	*SHITILIFA, Philemon	20	1968
NGOYI, Edward	12 <sup>1/2</sup>	1965	*SHITUYVEFE, Joseph	20	1968
NGUBENI, Michael	12	1964	SHWENI, Notase A.	20	1963
NGWENYA, Joseph	10	1965	SIGWELA, Ezra	10	1969
* NLENGE, Simon	20	1968	SIKUNDLA, Jacob	20	1966
NKABINDE, Victor	20	1966	SINGH, Girja	10	1964
NKIMENE, Nelson	12	1963	SINKAKANKA, George	12	1964
NKOSI, Azariah	12	1964	SISULU, Walter	Life	1964
NKOSI, John	Life	1963	SITHOLE, John	12	1965
NKOSI, Michael	10	1965	SIYATHULA, Mannert Malungisa	18	1967
NKOSI, Simon	12	1963	SOLOMONS, Marcus	10	1964
NOMPONDO, Willie	10	1965	TABANE, Teke L.	7	1964
NOYI	10	1966	TABATA, Max Bantwini	5	1972
* NQHIDIPO, Hanfika	20	1968	TABATHA, Joseph	14	1963
NTENGU, Silas	12	1964	TANGELA, S.	12	1965
NTSHANYENA, Hector	25	1963	TARSHISH, Jack	12	1963
NTUTU, Shumi	15	1964	TEFU, Philemon	Life	1963
NTWASA, Clarison	20	1963	TEMBU, Petrus Aaron	15	1973
* NUNJANGO, Betuel	Life	1968	THOMS, Raymond	12	1964
NXADI, Faans	12	1963	*TJIPAHORA, Kaleb	Life	1968
NYEMBE, Dorothy	15	1969	TLALE	12	unknown
NYCFO	20	unknown	*TOIVO, Toivo Herman Ja	20	1968
PHEFLA, Solomon	12	1963	TOKANI, Louis	15	1963
PHOKANOKA, Lawrence	18	1969	TOLE, Vuyisile	14	1964
PIETERSE, David	10	1965	TSHANGANA, Albert Kwezi	5	1972

<u>Name</u>	<u>Sentence in years</u>	<u>Year of conviction</u>
TSHANINGUA, Ndjaula	20	1968
TUHADELENI, Eliaser	Life	1968
USHONA, Malakia	Life	1968
VAN DER HEYDEN, Elizabeth	10	1964
VENKATRATHNAM, Surinarayan Kala	6	1972
VICTORY, Messack	Life	1969
VIMBA, Ncikwa Nagi	7	1972
VUSANI, Joseph Bransby	8	1972
WILCOX, Robert Cedric	6	1972
XANDEKANO, Tecuba	13	1964
ZACHARIAH, Lazarus	20	1968
ZAKUMBA, Douglas	10	1966
ZAMILE, Boysie	10	1964
ZAMISA, Julius	7 <sup>1</sup> / <sub>2</sub>	1966
ZIMAMBANE, Pindiso	8	1972
ZULU, Percival	12	1963

Sy Edele die Minister van Justisie,  
PRETORIA.

Geagte Minister,

BEREDDERING VAN DIE BATES EN LASTE VAN DIE "DEFENCE  
AND AID FUND."

1. Die "Defence and Aid Fund" (hier-  
onder die "Fund" genoem), is op 18 Maart 1966  
ingevolge artikel 2(2) van die Wet op die Onderdrukking  
van Kommunisme, 1950 (Wet No. 44 van 1950) tot 'n onwet-  
tige organisasie verklaar. U het my ingevolge artikel  
3(1)(b) van die Wet as beredderaar van die organisasie  
se bates aangewys. Hiermee doen ek graag aan u verslag  
aangaande die uitvoering en afhandeling van my taak.

2. Die eerste deel van my bereddering het bestaan  
uit die opspoor en te gelde maak van die organisasie se  
bates. Hierdie gedeelte van my taak is deur 'n verskei-  
denheid van faktore bemoeilik. Ek ag dit nodig om u  
volledig aangaande hierdie faktore in te lig:

(a) Daar was talle organisasies beide in die buiteland  
en hier ter plaatse wat aan die "Fund"  
gekoppel was of daadwerklik die doelstellings van die  
"Fund" bevorder of help bevorder het.

In die buiteland was daar die volgende organi-  
sasies:

- (i) "American Committee on Africa".
- (ii) "World Council of Churches".
- (iii) "Trades Union Congress".

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- (iv) "Christian Action", (waarvan "Defence and Aid" n integrale deel uitgemaak het).
- (v) "International Confederation of Free Trade Unions (I.C.F.T.U.)".

In Suid-Afrika was die volgende organisasies:

- (i) "Human Rights Welfare Committee".
- (ii) Suid-Afrikaanse Instituut vir Rasseverhoudings.
- (iii) Nasionale Unie van Suid-Afrikaanse Studente.
- (iv) "90 Day Protest Committee".
- (v) "Detainees Relief Fund".
- (vi) "Dependants' Conference", Kaapstad.
- (vii) "State of Emergency Relief Fund".
- (viii) "Religious Society of Friends (Quakers)".
- (ix) "Treason Trial Defence Fund".
- (x) "South African Congress of Trade Unions".
- (xi) "The Christian Council of South Africa".
- (xii) "South West Africa National Union".
- (xiii) "Black Sash".
- (xiv) Die Kommunistiese Party van Suid-Afrika en die Suid-Afrikaanse Kommunistiese Party.

Die fondse wat van die verskeie instansies van die buiteland hier ontvang was, het heen en weer tussen die organisasies hier te lande gevloei. Buitelandse

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organisasies het dikwels hul bydraes nie deur die "Fund" gekanaliseer nie maar direk aan organisasies in Suid-Afrika gestuur, wat op hulle beurt weer met die "Fund" geskakel het.

Bogenoemde feite het die opsporing van bestaande balanse op 18 Maart 1966 (die datum van onwettigverklaring) onmoontlik gemaak. Bylaag "A" bevat voorbeelde van die skakeling wat daar was.

(b) Sekere bepalings in die Konstitusie van die "Fund" het soos volg gelui:

"Objects:

(i) To uphold, defend and protect by all lawful means Human Rights, and Civil Liberties especially the right to hold and express opinions.

(ii) To grant relief and assistance to compensate men and women and their dependants who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise.

(iii) To collect money to pay for the rendering of legal advice and assistance to persons in need thereof ...

Accounts:

Proper accounts shall be kept in respect of the finances of the Fund and shall be properly audited.

Trustees:

The Fund shall have not less than three and not more than seven Trustees whose function shall be to ensure that the funds are used and applied in accordance with the objects of the Fund."

Die bepalings van die konstitusie is nie by die aangaan van uitgawes nagekom nie. Daar is nie die

minste aanduiding dat die Trustees beheer oor die besteding van fondse uitgeoefen het nie. (Kyk bylaag "B").

(c) Dit was oor en oor beklemtoon dat die fondse van die "Fund" uitsluitlik gebruik was "to pay for the legal representatives of people facing political charges and where possible to aid families who are left destitute". Dat die fondse egter nie so gebruik en aangewend was nie blyk uit bylaag "C".

(d) Die bronne van fondsverkryging was oor die hele wêreld versprei. Alhoewel "Christian Action" die grootste bron was, was aansienlike bedrae ook van instansies in Amerika, Europa, Australië en Nieu-Seeland verkry.

In Suid-Afrika was bydraes minimaal in vergelyking met oorsese bydraes. Hier te lande was dit gepoog om fondse deur middel van etes, danse en musiekaande in te samel. Gereelde skenkers was daar nie in Suid-Afrika nie.

Domheer Collins wat aan die spits gestaan het van invorderings vir "Christian Action" het gereelde bedeladvertensies laat plaas in die Britse en buitelandse koerante waarin hy gebruik gemaak het van "human interest stories". Hierdie "human interest stories" wat die "Fund" in Suid-Afrika aan hom moes verskaf, was dan verwerk om op die publiek se gevoelens te speel en sodoende fondse te bekom. (Kyk bylaag "D").

Dikwels is bydraes vir die "Fund" ook van privaat persone uit die buiteland ontvang. Deurdad bydraes uit soveel verskillende lande en van verskillende instansies ontvang was en nie in een gekonsolideerde fonds gestort was nie, kon die ontvangste vir die "Fund" nie tot by moontlike bestaande bates nagespoor word nie.

(e) Die grondwet van die Suid-Afrikaanse "Fund" het deurgaans die indruk probeer skep dat dit 'n onafhanklike organisasie is. Uit die stukke vervat in bylaag "F" is dit egter duidelik dat dit 'n tak van "Defence and Aid" van "Christian Action" in Engeland was. Nie alleen was die geld vanaf Londen gereeld "earmarked" nie, maar die "Fund" moes beramings maandeliks aan Londen voorlê waarin die sake uiteengesit is en waarvoor toekennings dan deur Londen gemaak is. "Christian Action" het dan ook soms spesifieke gelde vir sekere sake voorgeskryf.

(f) Boekhouding:

Een van die bepalings van die konstitusie het, soos reeds aangedui, gelees:

"Proper accounts shall be kept in respect of the finances of the 'Fund' and shall be properly audited".

Die stelsel van boekhouding deur die "Fund" gebruik, was een van ontvangstes en uitgawes.

Die inskrywings in die boeke van die takke was, soos blyk uit die boeke waarop beslag gelê was, nie bygehou nie. Ouditering is, soos blyk uit bylaag "E(i)", nie gereeld uitgevoer nie.

Nie een van die takke, insluitende die Johannesburg-tak, het 'n deurlopende rekening van ontvangstes en uitbetalings gehou nie. Daar was deurgaans gebruik gemaak van die balanse soos deur die onderskeie banke verstrekk. Uit die boekhouding van die onderskeie takke kon dit op geen stadium bepaal word wat die totale ontvangstes en uitbetaling was nie.

Die bank moes aandui of die rekening 'n krediet- of debietbalans gehad het.

Die totale ontvangstes en uitbetalings van die "Fund" in Suid-Afrika kon nie bepaal word nie. Die bates van die "Fund" was oor die hele land versprei. Benewens die bates waarop beslag gelê is, is kontant bates aan die hand van inligting wat deur die Suid-Afrikaanse Polisie aan my verstrekk is, opgespoor en gefin.

'n Ander groot leemte in die administrasie van die fondse is die feit dat aan niemand eintlik verantwoording gedoen moes word nie. Niemand kon ook, as gevolg van gebrekkige en nalatige boekhouding, korrekte syfers verstrekk ten opsigte van ontvangstes en uitbetalings vir enige tak nie. Dit wil voorkom asof selfs domheer Collins

nie syfers van totale ontvangstes en uitgawes kon verstrekk nie.  
(Kyk bylaag "E(ii)").

"Christian Action", wat honderde duisend rand na Suid-Afrika versend het, het nooit vir gedetailleerde state van hoe fondse bestee is, gevra nie. Niemand was aan enige persoon n verduideliking ver-skuldig nie.

In baie gevalle was fondse van "Christian Action" nie by die "Fund" gestort nie, maar direk aan prokureurs vir spesifieke sake betaal. Hierdie gelde was gelaat by die prokureurs en of daar op 18 Maart 1966 nog batige saldo's was, kon nie vasgestel word nie. (Kyk bylaag "E(iii)").

Dieselfde geld ook vir voorskotte aan prokureurs gemaak voor 18 Maart 1966. Dit was nie moontlik om vas te stel of die fondse opgebruik was al dan nie.

Vir die jaar eindigende 30 Junie 1965 was die "Fund" se inkomste R68,321.00, waarvan R32,000 van "Defence and Aid" in Londen gekom het en R4,621.00 plaaslik ingesamel was. Die balans het van ander instan-sies vanuit die buiteland gekom.

Die kleinkasboek van die Kaapse-tak was net tot 11 November 1965 opgeskryf sonder dat Novembermaand behoorlik afgesluit was. Daar was daarna ongetwyfeld nog uitbetalings maar geen inskrywings was gedoen nie. Die Johannesburg-tak se kasboek is opgeskryf vir n gedeelte van Oktober 1965 en alhoewel baie uitbetalings daarna gedoen is, is dit nie aangeteken nie. (Kyk bylaag "E (iv)"). Vanaf Julie 1965 is geen maand se inskrywings behoorlik afgereken nie.

Daar was deur die "Fund" ook nie afsonderlike rekeninge gehou va: prokureurs aan wie voorskotte gemaak was nie. As n prokureur sy be-raamde koste aan die "Fund" voorgelê het, was die bedrag ten dele of ten volle betaal, mits die fondse in die bank beskikbaar was.

Op 28 Desember 1965 is n tjek vir R3500 vanaf die Kaapstad-tak van die "Fund" aan Ruth Hayman (n Johannesburgse prokureur wat later kragtens die Wet op die Onderdrukking /7...



van Kommunisme, 1950, ingeperk is), gestuur. Sy het die tjek endosseer en op haar trustrekening op 21 Januarie 1966, inbetaal. Hierdie transaksie word nie in die Johannesburgse boeke van die "Fund" getoon nie. Meer as n maand na 18 Maart 1966 het Ruth Hayman die beredderaar telefonies meegedeel dat sy n halfgebruikte tjekboek van die "Fund" in een van haar kantoorlaaie gevind het. Sy was meegedeel om dit onmiddellik aan te stuur. Die tjeknommers van die boek het geloop van 247001 tot 247200. Tjekvorms Nrs. 247001 tot en met 247076 was reeds uitgeskeur en vermoedelik gebruik. Tjekvorm Nr. 247077 was volledig geteken deur Ruth Hayman en Hannah Jaff (wat tekenmagte gehad het) sonder dat n bedrag geld ingevul was. Tjekvorms Nrs. 247078 tot en met 247080 was reeds onderteken deur H. Jaff maar geen bedrag geld was ingevul nie. Vir betalings uit hierdie tjekboek aan die firma Hayman and Aronsohn kyk bylaag "E(iv)".

Op 20 September 1965 is die notule van die "Management Committee" van Johannesburg onderteken deur Ruth Hayman en een van die besluite lees soos volg:

"S. Neame Case. It was decided that the balance held by Hayman and Aronsohn for this account should be retained against costs of appeal". Geen bedrag word aangegee deur òf Ruth Hayman òf die "Fund" nie. Die saak het die "Fund" uiteindelik R5,500 gekos.

Aan die firma Crafford, Du Toit en Vennote, geektrooieerde Rekenmeesters van Pretoria was dit opgedra om uit die beskikbare boeke en dokumente n verslag voor te lê ten opsigte van die boekhouding van die "Fund". n Afskrif van die verslag verskyn in bylaag "E(v)".

3. Die vasstelling van die organisasie se verpligtinge het nie groot probleme opgelewer nie aangesien die onus op die krediteure was om eise in te dien en te staaf.

4. Die finale balansstaat het soos volg daar uitgesien:

Invorderings:

7.4.66	Durban-tak van die Fund	4.08
7.4.66	Standard Bank, Kaapstad	996.51
7.4.66	Veiligheidstak, Suid-Afrikaanse Polisie, Kaapstad	4.94
13.4.66	E.P. Bougenootskap, Port Elizabeth	74.88
18.4.66	Veiligheidstak, Suid-Afrikaanse Polisie, Port Elizabeth	106.40
21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	48.76
21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	436.11
4.5.66	Barclays Bank, Pretoria	6928.13
23.5.66	Reitz, Jacobson & Effune, Johannesburg	1474.55
25.5.66	Hayman & Aronsohn, Johannesburg	2780.14
9.6.66	Borgkwitansie Nr. 107467	20.00
14.7.66	Standard Bank, Kaapstad	19.77
22.8.66	Miller Weedon Travel	86.20
22.8.66	Borgkwitansie	250.00
22.8.66	Telefoon Terugbetaling R. Hodgson	11.43
29.9.66	Posseëls verkoop	.40
29.9.66	Posseëls verkoop	2.06
24.10.66	Borgkwitansie E. Loza	100.00
14.11.66	Staatsprokureur, Kaapstad	769.62
26.4.67	Geregsbode, Johannesburg	40.00

/9...

28.4.67	Geregsbode, Kaapstad	97.65
8.5.67	Geregsbode, Port Elizabeth	34.25
8.5.67	Posseëls verkoop	1.05
1.6.67	Kerbel & Borman, Port Elizabeth	289.04
24.8.67	Aderne & Flynn, Port Elizabeth	100.00

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14,675.97

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Uitbetalings.

Christine Gibbs - Salaris Maart 1966	60.00
Napiers - Port Elizabeth - Skryfbehoeftes	1.65
Telefoon Rekening, Kaapstad	.75
Royal Dairy, Kaapstad	1.56
S. Urdang - Salaris Maart 1966	115.00
Vervoer - Geregsbode, Kaapstad	13.00
Sonnenburg, Hoffman & Galombik - huur	17.97
Abe Swersky - Kaapstad - Prokureursfooie	1500.00
Frank, Bernadt & Joffe, Kaapstad - Prokureursfooie	221.30
Segal & Seymore, Pretoria - Prokureursfooie	237.26
Solomon, Aderne & Flynn, Port Elizabeth, Prokureursfooie	800.33
Kerbel & Borman, Port Elizabeth, Prokureursfooie	1465.71
H.L. Schachat, Kaapstad, Prokureursfooie	518.25
M.S. Frank & Frank, Kaapstad, Prokureurs- fooie	618.34
Findlay & Tait, Kaapstad, Prokureursfooie	280.19
Hayman & Aronsohn, Johannesburg, Prokureurs- fooie	4043.27
Lubbe Recordings, Pretoria	125.80

/10...

Crafford, du Toit & Vennote,  
Pretoria - Fooie

300.00

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10,320.38

Oorbetaal aan Vereniging van  
Wetsgenootskappe

4,355.59

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R14,675.97

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D. P. WILCOCKS

BEREDDERAAR : DEFENCE AND AID FUND.

- 5 -2- 1968

ORGANISASIES.

HUMAN RIGHTS WELFARE COMMITTEE.

Die volgende bedrae is deur die "Fund" aan bogenoemde geskenk:

R600 op 10 Februarie 1961.

R100 op 2 April 1962.

R200 per maand vir 3 maande (besluit deur

Uitvoerende Komitee op 21 Januarie 1963).

R200 op 25 Januarie 1963 deur domheer Collins

direk oorbetaal aan organisasie.

SUID-AFRIKAANSE INSTITUUT VIR RASSEVERHOUDINGS.

Teen die end van 1964 het die "Fund" besluit om geen welsynswerk meer te verrig nie en bogenoemde organisasie het al die welsynswerk oorgeneem in Kaapstad.

Op 10 Desember 1962 skryf die Instituut aan die "Fund" te Kaapstad onder andere:

"I should like to appeal for assistance to help pay the costs of presenting evidence and watching the interests of Africans before the judicial Commission of Enquiry into the causes of the Paarl Riot on 22nd November, 1962. It is extremely important that the underlying cause of unrest be brought to light and for this purpose it is necessary that legal representation should be available particularly as the Police and the Paarl Municipality are being legally represented."

Die "Fund" het 'n bedrag van R800 bygedra. Op 18 Desember 1964 stuur die Instituut 'n bedrag van R1383 aan

/.....2.

die "Fund" te Johannesburg en R2500 aan die "Fund" te Port Elizabeth.

The "American Committee on Africa" het ~~1000~~ 1000 aan die "Fund" toegesê wat eindelijk by die Instituut inbetaal is vir "Prison Education Fund".

Uit die notules van 'n spesiale vergadering van die Durban tak van die "Fund" blyk die volgende:

"Money had come from canon Collins and Trade Unions, there was now about R5000-00 in hand and Race Relations had been given R2500-00 for defence which it was hoped they would hand over."

Op 11 Augustus 1965 het die "Fund" weer 'n bedrag van R154-00 aan die Instituut oorbetaal.

NATIONALE UNIE VAN SUID-AFRIKAANSE STUDENTE.

Op 11 November 1964 skryf die prokureursfirma "Hayman and Aronsohn" aan die "Fund" te Johannesburg:

"We beg to advise you that several weeks ago we were instructed by N.U.S.A.S. to act on behalf of these persons (Choabe, Gawe and Saule) who were until recently 90 days detainees in East London. On the 26th October, 1964 these persons were charged under the Suppression of Communism Act ..... We understand from N.U.S.A.S. that they are in a position to provide certain of the funds for defence of these persons but obviously they will not be able to cover all the fees involved..... There are four other students who are being detained in East London. Their names are H. Kani, E. Dhlala, Paul Modiba and Stanley Mabizela..... We wish to

/.....3.

make formal application for the assistance of Defence and Aid for these persons on the basis that N.U.S.A.S. will be able to provide portion of the fees."

90 DAY PROTEST COMMITTEE (KAAPSTAD).

Onder Voorsitterskap van J. Hamilton Russel het die organisasie funksioneer tydens die geldigheid van die 90 dae klousule. Na die herroeping van genoemde klousule is 'n bedrag van R1534.50 aan die "Fund" oorbetaal.

DETAINEES RELIEF FUND (DURBAN).

Voordat die "Fund" behoorlik in Durban gefunksioneer het, was dié organisasie aldaar in werking. Met die "Fund" se inwerkingtreding het hierdie organisasie verdwyn en was R634.42 aan die "Fund" oorbetaal.

DEPENDANTS' CONFERENCE (KAAPSTAD).

Hierdie organisasie tesame met ander organisasies het die welsynswerk in Kaapstad en omstreke oorgeneem toe die "Fund" na 1963 met welsynswerk opgehou het.

Die organisasie bestaan vandag nog en gedurende die jare 1964 en 1965 was 'n bedrag van R20,000 vanaf die "Defence and Aid International" ontvang.

STATE OF EMERGENCY RELIEF FUND.

Hierdie organisasie was tydens die noodtoestand van 1960 in die lewe geroep. Met die totstandkoming van die "Fund" het al die bates van die "Relief Fund" oorgegaan op die "Fund". Die bestuurskomitee van die "Relief Fund" het net so aangebly vir die Komitee van die "Fund". Aan die end van 1960 was 'n bedrag van R300,000 deur die "Relief Fund" spandeer en was nog R60,000 benodig om uitstaande ondernemings te finaliseer.

Gedurende 1960 is 'n bedrag van R2800 aan die "Relief Fund" deur die "Fund" betaal.

RELIGIOUS SOCIETY OF FRIENDS (QUAKERS).

Gedurende 1963 het die organisasie geld ingesamel en aan die "Fund" oorbetaal vir die verdediging van John Hlekani (n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950). Die bedrag oorbetaal is nie bekend nie. Op 9 September 1963 skryf dr. Ellen Hellman van die Johannesburgse tak van die "Fund" aan die Durbanse tak onder andere:-

"We give them (i.e. The Quakers) certain grants of money. We have as you likewise have, to be careful not to overstep our function which is to give compensation to people who are in difficulties by reason of the curtailment of the civil rights. Otherwise there is always the possibility of coming within the confines of the Welfare Organisation Act."

TREASON TRIAL DEFENCE FUND (T.T.D.F.).

Die fonds wat in 1956 in die lewe geroep is, het in 1960/63 oorgegaan op die "Fund".

R500 wat geleen was by die "Fund" was terugbetaal.

Op 10 Julie 1963 word die Standard Bank, Port Elizabeth as volg opdrag gegee:

"... will you please instruct the Standard Bank of South Africa to transfer the balance standing to the credit of the Treason Trial Defence Fund, to our account (i.e. the "Fund")."

Op 22 Januarie 1964 word ontvangs deur die "Fund" erken van n bedrag van R602. Die balans wat verskuldig bly is R392.21.

/.....5.



SOUTH AFRICAN CONGRESS OF TRADE UNIONS (S.A.C.T.U.).

Op 16 November 1961 het die "Fund" R100 aan die organisasie geskenk.

THE CHRISTIAN COUNCIL OF SOUTH AFRICA.

Op 15 Desember 1961 word 'n bedrag van R1581.05 deur die organisasie aan die "Fund" oorbetaal.

Uit korrespondensie blyk dit dat die volgende bedrae deur dié organisasie by verskillende geleenthede aan die "Fund" betaal is: R3000.00 aan Port Elizabeth.

R1000.00 aan Durban.

R1000.00 aan Kaapstad.

R200.00 aan Oos-Londen.

Op 26 Mei 1964 is 'n bedrag van 1000 dollars deur die organisasie aan die "Fund" betaal. Hierdie bedrag was ontvang van die "World Council of Churches".

SOUTH-WEST AFRICA NATIONAL UNION (.S.W.A.N.U.).

Gedurende September 1962 het die organisasie die "Fund" genader vir finansiële hulp en steun vir sake teen politieke oortreders in Suidwes-Afrika. Behalwe die R330.00 wat die "Fund" op dr. Abrahams spandeer het, was dit nie aktief in Suidwes-Afrika nie.

BLACK SASH.

Gedurende September 1965 het die Uitvoerende Komitee van die Kaapstad-tak van die "Fund" ingestem dat R200 wat aanvanklik deur die "Fund" aan die "Paarl Riot Commission" toegesê is, vir regskoste aangegaan deur die "Athlone Advice Office" (Black Sash) aangewend kan word.

DIE KOMMUNISTIESE PARTY VAN SUID-AFRIKA EN DIE SUID-AFRIKAANSE KOMMUNISTIESE PARTY.

'n Bantoelid van die Suid-Afrikaanse Kommunistiese Party het onder andere soos volg in 'n beëdigde verklaring gedateer 1 Oktober 1964 gesê: "The 'Defence and Aid Fund" which was at this junction (sic) already in existence, was extensively used for the purposes of the South African Communist Party. In turn cash advances towards the fund were made by the South African Communist Party. Who the persons were that served on this Fund's Committee I do not know, except that Rica Hodgson who was in fact a member of the Communist Party was also serving on this Fund's Committee."

Op 9 Januarie 1966 het 'n Blanke-lid van die Suid-Afrikaanse Kommunistiese Party in 'n beëdigde verklaring erken dat hy kort

tevore 'n bedrag van R4000.00 vir gebruik vir doeleindes van die Kommunistiese Party ontvang het. In verband met die aanwending van die geld het hy onder andere gesê:

"All the money so withdrawn I used for purposes of the Communist Party, also to pay bail money at Defence and Aid and for relieving purposes of dependants of political prisoners ...".

Die volgende persone wat as kommuniste gelys is, het as ampsdraers van die die "Fund" opgetree:

- |                |                  |                     |
|----------------|------------------|---------------------|
| (1) Ruth Slovo | (2) Rica Hodgson | (3) Violet Weinberg |
| (4) Bob Hepple | (5) A.L. Sachs   | (6) Abram Fischer.  |

#### BUITELANDSE ORGANISASIES.

##### AMERICAN COMMITTEE ON AFRICA.

Teen die end van 1965 stuur die organisasie  $\text{R}5500$  aan die "Fund" met 'n versoek dat 'n verduideliking verstrek moet word waarvoor die fondse aangewend sou word.

Die antwoord gedateer 17 Januarie 1966 lui soos volg:  
"One of the 24 accused is from Port Elizabeth who have been awaiting trial since June, 1965. They are mostly young boys, who as far as we know had no particular part in any political movement. They probably belonged to the A.N.C. as did any African with any initiative and remained members after it was banned in 1961 ...".

##### WORLD COUNCIL OF CHURCHES.

Hierdie organisasie het sy bydraes grotendeels gestort in die kas van die "Christian Council of South Africa", maar het tog opdrag gegee dat sekere bedrae vir verdediging van politieke oortreders aangewend moet word. Die volgende bedrae is met tussenposes deur die "Fund" van die organisasie ontvang:

Kaapstad $\text{R}8000$	Port Elizabeth $\text{R}1790.67$
$\text{R}4993.75$	$\text{R}5000$
$\text{R}2500$	$\text{R}5000$

##### TRADES UNION CONGRESS (LONDON).

'n Bedrag van  $\text{R}13515$  is direk aan die "Fund" in Suid-Afrika betaal sonder bemiddeling van Christian Action, Londen.

/7...

CHRISTIAN ACTION (LONDON).

Dit is nie moontlik om die totale bedrag te bepaal wat die organisasie aan die "Fund" oorbetaal het nie. Volgens 'n publikasie wat deur die "forum World Features" op 26 Februarie 1966 uitgegee is, het "Christian Action" toe alreeds 'n bedrag van R1,000,000 in die Republiek van Suid-Afrika laat spandeer op politieke oortreders en hul gesinne.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (I.C.F.T.U)

Op 10 Februarie 1961 word 'n bedrag van R600.00 wat deur die "Fund" aan "Human Rights Welfare Committee" geskenk was deur die I.C.F.T.U. aan die "Fund" vergoed.

Op 10 Junie 1963 skryf dié organisasie aan die "Fund":

"We feel that in view of the increasing critical situation in South Africa, the time has come for the I.C.F.T.U. to show again in a tangible way its sympathy with the victims of the South African regime. It therefore gives me pleasure to announce that we have transferred ..... a further sum of £750 with the request that as much as possible the claims of trade Unionists should be taken into consideration .....".

Op 16 Desember 1964 skenk die organisasie nog £1000 aan die "Fund".

BYLAAG "B".

UITOEFNING VAN BEHEER.

Geen enkele geval is teëgekome waar oorleg gepleeg is met die Trustees van die "Fund" voor uitgawes aangegaan is nie. Daar was ook nie n enkele vergadering van die Trustees om beleidsrigting neer te lê of die konstitusie aan korrekte vertolking te onderwerp nie.

Niemand was die verpligting opgelê om verantwoording te doen vir fondse wat spandeer word nie. Elke tak het spandeer solank fondse in die verskeie handelsbanke beskikbaar was. Daarna was fondse weer net aangevra.

In n memorandum deur die Johannesburg-tak versprei, moes die volgende vertolking aan die Konstitusie gegee word:-

"Defence and Aid renders neither legal assistance nor advice but merely provides funds to enable legal assistance and advice to be given by other persons. Defence and Aid is not a legal aid bureau and so does not render legal advice or assistance. It does not assist persons essentially as a matter of philanthropy but in furtherance of its main object to defend civil rights and liberties. The Fund is prepared to assist without distinction of race, colour, creed or opinion - it is concerned only with the object laid down by it's constitution and civil liberties and not with the policies of any organization, body or group of persons".

Telkens is die konstitusie by takke gewysig sonder om die ander takke te verwittig. Met soveel gemak was wysigings aangebring dat die notules net die volgende bevat:- "The Constitution was read and amended in a number of places". (Notules, Kaapstad se tak gedateer 18 Augustus 1965). Daar was geen aanduiding watter artikels gewysig was of wat die wysigings behels het nie.

Gelyste kommunis E.S. Sachs wat as organisierende sekretaris van "Christian Action" in Londen opgetree het, gee die volgende vertolking aan die oogmerke van die "Fund".

"The aims of our Defence and Aid Fund are to provide effective legal aid to victims of apartheid who are brought to court or deprived of their liberty by administrative action and also to help their families. Our Fund is pledged to a policy of non violence but in deciding whether we should provide defence and aid in any particular case, we are concerned with the motives and not so much with the acts or omissions; nor are we concerned with the political, religious or other beliefs of the person concerned. If the motive is not selfgain, but to further the interests of African freedom, he becomes entitled to our support even if the method employed by him, or the political beliefs he holds does not meet with our approval".

Op 22 April 1963 antwoord John Blundell, Voorsitter van die Kaapse-tak vir Sachs as volg: "... by now it will be clear to you that we are only too anxious to do all we can to find defence wherever and whenever it is required, even if some of us may not be motivated by quite such an unique interpretation of our constitution as you set out in your fourth paragraph.". (Hierbo aangehaal).

Na die promulgering van Wet Nr. 76 van 1962 (wat as die Sabotasiewet bekend staan), is die bepalings van die Konstitusie nie meer as leidraad gebruik vir die aangaan van uitgawes nie. Vroeër was uitgawes aangegaan in die volgende tipe sake:

- (i) Sake waarin lede van verbode organisasies tereggestaan het.
- (ii) Verbreking van inperkingsbevele.
- (iii) Bevordering van verbode organisasies.

(iv) Fondsinsameling vir verbode organisasies.

(v) Enige sake met 'n politieke kleur waar geen geweld voorkom nie.

Dat die "Fund" vroeër nie sake van geweld verdedig het nie blyk uit die volgende briewe:

Alex Hepple, voorsitter, Johannesburg-tak aan J.D.F. Martin, "Amnesty International", Londen.

"..... For various reasons the Defence and Aid Fund decided not to handle cases involving Sabotage .....". (Brief gedateer 14 Augustus 1962).

Dr. Ellen Hellman, Johannesburg-tak aan J. Hill, ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), Durban-tak:

"... What is quite clear is that we do not assist in the defence of Sabotage itself ...". (Brief gedateer 15 September 1962).

Johannesburg se Uitvoerende Komitee besluit op 14 Mei 1962, onder andere:

"In terms of our constitution we do not handle cases under the Explosives Act". Toe Suliman Vallie egter tereg staan op 'n klagte van besit van plofstowwe het die "Fund" hom laat verdedig.

Op 20.9.63 besluit Durban se Uitvoerende Komitee: "..... We were asked to base our decision whether or not to defend on the question of whether or not the infringement of a civil right was involved. .... Sabotage did not fall within this definition".

Ten opsigte van die P.A.C. verhore te Durban besluit die Uitvoerende Komitee:

"..... In accordance with a ruling from Headquarters (Johannesburg) that Defence and Aid Fund could only handle cases where there was a possibility of civil rights being infringed and that sabotage did not come within this definition we gave no financial assistance

through Defence and Aid".

Wat die voorgaande beleid betref, vra domheer Collins op 17 Oktober 1963 vir Johannesburg:

"Has your Defence and Aid Committee out there yet been able to settle the question of whether it will take on defence of those involved in Sabotage cases? ... It is therefore very important that we should know whether we can transmit money for this purpose through your committee or whether we should find some other way of helping them ...".

Die Johannesburg-tak van die "Fund" antwoord die domheer hierop soos volg:

"..... The problem of assisting in cases involving sabotage and violence has not yet been resolved. You will remember that it was decided some time ago that as a matter of principle our Fund could not undertake the defence of persons who embarked upon open acts of violence to compel political changes in this country .... However, there are numerous difficulties, technical and legal, apart from other objections ... meanwhile all are agreed that your best course in regard to the Rivonia trial would be to send funds directly to the instructing attorney, Mr. Joel Joffe, 204 Provident Assurance House, Commissioner Street, Johannesburg. I should also tell you that other mass trials of members of the banned A.N.C. and other Congress groups are pending in East London (106 accused), Port Elizabeth (35 accused) and Durban (19 accused).... It is possible that you will be asked to give direct assistance in those cases too .....".

Selfs plaaslike donateurs was gekant teen verdediging van saboteurs. So skryf G.E. Bevan van Pretoria

op 27 Junie 1963 aan die "Fund" te Johannesburg:

"....I should be glad to make another contribution ... I am not prepared to help defend such as those three members of the P.A.C. who were given life sentences recently for sabotage and planning the murder of Whites, the poisoning by black servants of their employers - I have no wish to assist in the promotion of an imitation Mau-Mau in South Africa".

Sonder formele wysiginge van die Konstitusie het die plaaslike takke een na die ander fondse gebruik vir Sabotasie- en ander sake van geweld. So skryf die Johannesburg-tak op 20 Oktober 1964 aan die Kaapse-tak van die "Fund": ".... It has been decided in principle that Defence and Aid should assist financially in the defence of the 2 sabotage trials in Cape Town ...", en op 29 Oktober 1964 aan "World Council of Churches":

".... A decision has been reached by the Committee to assist financially in the defence of sabotage cases ...", en op 30 Oktober 1964 aan "Christian Action, Londen: ".... Now that sabotage trials are starting at various centres in South Africa, there has been considerable discussion about the attitude of Defence and Aid. It has been decided that those cases should not be excluded ...". Na die instemming van die "Fund" in Suid-Afrika om sabotasiesake te verdedig, het domheer Collins 'n toespraak by die V.V.C. gelewer. Onder andere het hy die volgende gesê:

".... To put matters right in South-Africa requires political action on a big scale ... it seems probable that only external pressures and the threat of execution of internal revolution will bring about the desired result ... And of much importance, in my opinion,



is the fact that the contribution of Defence and Aid in this respect fosters the morale of the Internal Resistance ... it is the resistance movement in South Africa which alone can give South Africa the ability to become a non racial society ... By caring for their families we build their morale in gaol ... no political organization which seeks to change South Africa's racial policies can function properly in the open ... Those who wish to continue the struggle have to go underground. Nor have I touched upon the necessity to provide for the families and dependants of the underground resistance. But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by doing so, the well being of the children and other dependants is at stake".

Die geld vir die Rivonia-saak was direk deur Christian Action, Londen aan die opdraggewende prokureur gestuur en het R34,000 beloop. Die koste van die Fischer-saak, wat deur die Fund betaal was, het R17,669 beloop.

As gevolg van die feit dat die Trustees van die "Fund" nooit geraadpleeg was nie en elke tak van die "Fund" selfstandig opgetree het, was dit onmoontlik om uit 'n enkele bron inligting te bekom.

"Christian Action" het direk aan Ruth Hayman 'n bedrag van R1,397.75 vir die Harris-saak betaal. Dit was nie moontlik om te bepaal of die bedrae van R34,000 en R1397.75 enige batige saldo gelaat het nie.

BYLAAG "C".

FONDSBESTEDING.

(i) Prokureur L. Mtshizana ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), 'n lid van die Uitvoerende Komitee, Oos Londen, wat in verskeie sake namens die "Fund" opgetree het, was later op verskeie klagtes van regsverdeling aangekla. Die "Fund" het R918 spandeer om die saak te verdedig. Hy is egter skuldig bevind en van die rol van prokureurs geskrap wat die "Fund" 'n verdere R300 gekos het.

(ii) Dit het geen verskil gemaak watter oortreding gepleeg was nie maar as die oortreder 'n politieke agitator was, was hy verdedig. So is daar vir politieke agitators boetes wat deur die howe opgelê is, betaal, kapitaal verskaf om besighede mee te begin, versekeringspremies betaal, sakgeld verskaf tydens aanhouding en daarna, en vervoerkoste van meubels, Bantoebelasting en begravniskoste betaal. Hierdie bedrae word in die boekhouding as "summary advances" aangetoon en word later afgeskryf of dit word teen welsynfondse gedebiteer. Die volgende tipe sake was ook deur die "Fund" verdedig: betreding, meined, moord, brandstigting, oortreding in gevangenis, aanranding op bewaarders, bedrog, weier om getuienis af te lê, kwaadwillige saakbeskadiging en openbare geweld.

(iii) Die Kaapse Komitee van die "Fund" het R10 per maand bestee om vir Sobukwe op Robbeneiland van grammofoonplate, tabak, sigarette, groente en blomsaad te voorsien.

(iv) Aan Sonia Bunting (gelyste Kommunis No. 114) is met haar vertrek uit Kaapstad 'n "handwoven Morocian bedspread" as geskenk deur die "Fund" aangebied.

(v) Op 4 Oktober 1965 skryf Dennis Scarr, voorsitter van Port Elizabeth-tak, aan Alan Paton:

"As you know I am endeavouring to start a library of court records to assist Counsel ... I believe you have some money available ... could you let me have R500 for this?".

Op 14 Oktober 1965 antwoord Paton:

"... Enclosed you will find a cheque for R500. Will you please write to me acknowledging the gift and ask for your thanks to be conveyed to the Presbyterian Church in America for their help. Please indicate briefly what the money is being used for but I think we should give some more human and immediate reason than the need for court records".

Op 27 Oktober 1965 antwoord Scarr:

"... Thank you very much for the cheque. Please convey the very sincere thanks of Defence and Aid Fund, Port Elizabeth to the Presbyterian Church in America. We intend to use these funds solely for furthering the welfare of awaiting trial prisoners, many of whom as you know are held for many months before appearing in Court". Van die biblioteek is niks gevind nie - ook nie wat van die R500 geword het nie.

(vi) Looksmart Solwandhla Ngudle was 'n 90-dae aangehoudene en tydens aanhouding het hy selfmoord gepleeg deur homself in sy sel op te hang. Met die geregtelike nadoodse ondersoek was regsverteenwoordigers vir die familie verskaf deur die "Fund". 'n Bedrag van R3,004 was hieraan bestee.

BYLAAG "D".

FONDSINSAMELING.

(i) In die saak van die Staat teen Vuyesile en andere was Vuyesile skuldig bevind aan moord en ter dood veroordeel. In 'n bedeladvertensie beweer die domheer dat Vuyesile gehang is omdat hy nie teen sy boesemvriend Wilton Mkwai wou getuig nie, maar Wilton Mkwai het toe alreeds gevlug na Basoetoland. So verwronge was die feite in "The Observer" in Londen weergegee dat hy deur Suid-Afrika Huis tereg gewys was en sy bedeladvertensie moes onttrek.

(ii) Op 24 April 1961 skryf Patrick van Rensburg van "Christian Action", Londen aan die "Fund" te Johannesburg: "...I am assuming that something is being done about Canon Collin's request for a new set of priorities and anticipating that the letter you said you are writing today (Monday) will deal with it. Can you do something further about this, incorporating the new priorities in a letter to the Editor of "The Observer". To carry on collecting we must use every trick in the book".

(iii) In Mei 1964 skryf "Bill Hoffenberg" (volgens die stukke dr. Raymond Hoffenberg wat Voorsitter van die bestuurskomitee te Kaapstad was toe die "Fund" onwettig verklaar is) uit Londen aan die Kaapse-tak van die "Fund": "... An interim report from the land of the free. Have spent many hours making myself very unpopular at the Defence and Aid Offices here.

/2....

1. Money. They sent £1000 to Johannesburg on 8th May. I told them about our misunderstanding re the £750 earmarked for the Alexander trial. They have agreed to send this amount straight to C.T. ....

Money is pouring in - largely the result of the Observer appeal. Some of this is earmarked for Rivonia, but there should be a lot due to us. Their allocations committee only meets in about 2 weeks time, but we will get a reasonable chunk. If we don't, we must make a big fuss, as I know what they've got in (spies!). Dr. Hellman must write, and John must write, stressing that we are turning down cases, while we believe that money is available in London. Stress urgent need for money now - we can't wait for committee meetings. Can't they short circuit things to make something available? Etc. Etc. .... I have used all the pressure I can. Collins is away, unfortunately, but John and Dr. Hellman must keep at them - give them details (harrowing) of cases turned down - make them up, if they don't exist. Ask Ruth Hayman to push the same line with them .... That's about all, except that we must not turn down cases, but take on all we can and throw the expense back at them. We're in quite a strong position vis-a-vis C.A. as D & A is wagging the whole concern at the moment and I think they need us quite badly."

(iv) Aan die Thubigen universiteit in Duitsland was n bedrag van R10,000 gekollekteer vir die verdediging van dr. Alexander wie vroeër n student was aan die universiteit. Die geld was in verskeie paaiemente aan die "Fund" betaal.

/3...

(v) Sowjet Rusland skenk die bedrag van R7,140.00 aan "Defence and Aid" Londen en skryf:

"... The Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and the provision to them of moral, political and material assistance in that just struggle".

Hierdie skenking van die Sowjet Unie het veroorsaak dat twee lede van die Uitvoerende Komitee van die Kaapse-tak van die "Fund" bedank het en as volg opmerk:

Mev. Barbara Wilks:

"... I learn from the Cape Times that a sum of money has been allocated to the South African Defence and Aid Fund by Soviet Russia. If this report is true, and if the money has been, or is going to be accepted by the Fund I hereby resign, both from the Management Committee and the Defence and Aid Fund itself.

Should, of course, the report be untrue or the money refused out of hand, I shall be happy to continue serving on the committee ...".

"....Collins appears in his statement to have seriously misrepresented the work of Defence and Aid in this country. Soviet money was granted to assist the Anti-colonial struggle in this country. It might not be too strong therefore to say the money has been acquired by false means for false ends".

Adv. Donald Molteno:

"... That very appreciation on my part makes me regret that the reported donation by the U.S.S.R. to the London "Defence and Aid International" for the South

African Defence and Aid makes it impossible for me to have even such indirect connection with the administration of moneys from such a source as membership of the Cape Town Committee entails".

BYLAAG "E".

BOEKHOUDING.

(i) Die inhoud van n brief van die "Fund" vanaf Port Elizabeth aan Johannesburg, gedateer 8 Julie 1964, lui soos volg:-

"... How do the financial wizards feel? From our unkept books our past commitments are not clear. My predecessor thought we owed some people R500, but also implied we have this in the bank which we have not ...".

(ii) In Junie 1963 skryf D. Craighead (n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme) van Johannesburg tak aan Collins:

"... In regard to your suggestion that we advise the Society of Friends as to the amount of money received from 'Defence and Aid' London, since the Treason Trial, there is some difficulty as we do not have records of monies that have been sent direct for certain cases, nor do we have in Johannesburg full records of monies which have at times been sent to other centres ...".

In n memorandum van die "Fund" in 1963 kom die volgende voor:-

"... Because the records were not kept in a way to facilitate an analysis of all the cases handled total figures cannot be given ...".

Uit die "Interim Financial Report" van die "Fund" te Johannesburg op 17 Februarie 1964 kom die volgende:

"... Tabled are the unaudited Income and Expenditure Accounts and Balance Sheets for the years ended June, 30th, 1962 and June 30th, 1963."



- (iii) Die volgende bedrae was direk aan prokureurs betaal:
- (i) 'n Bedrag van R1997.50 aan prokureurs Ress, Richman & Co., Kaapstad.
  - (ii) 'n Bedrag van R500 aan prokureurs in Kaapstad vir die Isaacs and Others saak.
  - (iii) 'n Bedrag van R1397.75 aan Ruth Hayman vir Harris Saak.
  - (iv) 'n Bedrag van R34000 aan prokureur Joel Joffe vir Rivonia verhoor.
  - (v) 'n Bedrag van R1000 aan prokureur Sing van Durban.
  - (vi) 'n Bedrag van R1000 aan prokureurs Joach en Jankelowitz te Port Elizabeth.
  - (vii) 'n Bedrag van R1156 aan prokureur H. Festenstein van Johannesburg.
  - (viii) 'n Bedrag van 500 dollars aan Leo Marquard van die "Fund" Kaapstad - versend deur Benjamin J. Buttenweiser van Amerika.
  - (ix) 'n Bedrag van 500 dollars aan dr. E. Helmann van die "Fund" te Johannesburg - versend deur George M. Hauser van Amerika.

(iv) Die volgende bedrae is uit die tjekboek aan Hayman and Aronsohn betaal:

19.7.65 - re Port Elizabeth	R2,000.00
20.7.65 - Cape Province and other commitments	R2,000.00
27.7.65 - re C. Doyle	R100.00
30.7.65 - re J. Phahlamohlaka	R41.30
3.8.65 - re C.P. cases	R2,000.00
12.8.65 - re J. Gqabi - 100 ) S. Neame - 1000 ) General Des. 155)	R1,255.00
24.8.65 - Eastern Province	R1,850.00
24.8.65 - Sylvia Neame	R2,000.00
13.9.65 - M. v.d. Berg	R5.00
	/3...

30.9.65 - Viljoensdrift - 85 )	
L. Makfote - 72.50)	R262.50
M. v.d. Berg - 105.00)	
30.9.65 C.P. cases	R1,000.00
26.10.65 Nine hundred Rand	R900.00
8.11.65 Niks ingeskryf	R2,000.00
18.11.65 Niks ingeskryf	R500.00

Die laaste drie getekende en uitgereikte tjeks bevat geen aanduiding watter dienste gelewer was nie en dit verskyn ook nie in die uitbetalings register nie, want inskrywings was gestaak sedert Oktober 1965. Geen rekenskap kan van hierdie geld opgespoor word nie.

(v) Verslag van mnre. Crafford, du Toit en Vennote gedateer 8 Maart 1967: "Soos deur u opgedra, het ons die boeke en rekords van die Defence and Aid Fund wat in u besit is, nagegaan en doen graag as volg verslag:

1. Inleidend:

Die boekhouding was klaarblyklik nie gesentraliseer nie en elke area het sy eie boekhouding waargeneem. Boeke en rekords, wat alle stukke is waarop die Polisie ten tye van die inbandoening van die Organisasie beslag gelê het, is ten opsigte van die volgende afdelings aan ons voorgelê.

- |                    |                  |
|--------------------|------------------|
| (a) Kaapstad       | (b) Johannesburg |
| (c) Port Elizabeth | (d) Durban       |

Die S.A. Defence and Aid Fund is vanaf Augustus 1965 in die lewe geroep. Die dokumente wat deur ons ingesien is, skep egter die indruk dat hierdie fonds maar slegs 'n voortsetting van die Defence and Aid Fund was en vir die doeleindes van ons ondersoeking is die twee fondse as een en dieselfde organisasie beskou.

Die boeke en rekords is op 18 Maart 1966 in beslag

geneem en op daardie datum was meeste van die afdelings se boeke slegs tot Oktober/November 1965 opgeskryf.

2. Konstitusie:

Dit was nie moontlik om vanaf die beskikbare rekords presies te bepaal of die konstitusies wat op lêer is, op 'n gegewe tydstip in alle opsigte met betrekking tot wysigings wat van tyd tot tyd aangebring is, aangesuiwer is nie. Die notules is ook nie altyd van waarde in dié opsig nie, byvoorbeeld Kaapstad vergadering van 18 Augustus 1965 bevat slegs dié woorde 'The Constitution was read and amended in a number of places' as aanduiding dat die konstitusie gewysig is.

3. Boeke en rekords:

(a) Dit is uiters moeilik om uit die boeke en rekords vas te stel of behoorlik rekenskap gegee is van alle gelde wat deur die fonds hanteer is. Dit is hoofsaaklik te wyte aan die feit dat fondse van oorsee nie konsekwent na 'n sentrale punt gestuur is nie, maar aan takke direk.

(b) Die boeke toon nie 'n oorsigtelike beeld van die bates en laste van die Fonds op die datum toe die organisasie in die ban gedoen is nie.

(i) Wat die bates aanbetref, is dit bv. vir u as likwidateur onmoontlik om te bepaal dat die gelde wat u van banke ontvang het, wel alle fondse wat daar moes gewees het, verteenwoordig. U is dus in die posisie dat u die banke se syfers moet aanvaar.

(ii) Wat die laste aanbetref is dit absoluut onmoontlik om uit die boeke vas te stel wat die fonds se aanspreeklikheid vir hangende hofsake is. Op dieselfde wyse is dit onmoontlik om te bepaal

of daar nie dalk krediete by prokureurs bestaan waarvan nog nie behoorlik rekenskap gegee is nie. Ons beweer dat die boekhouding en rekordstelsel van die Fonds in hierdie opsig gebrekkig is. Veral as in ag geneem word dat die grootste deel van die fonds se uitgawes aan regs-aksies bestee is, is dit uiters belangrik dat die boeke sou aantoon hoe die geld bestee is.

Na ons mening sou die minimum vereiste wees dat ten opsigte van elke saak wat verdedig is, die boeke 'n rekening vir die geval sou toon, met die bedrag of bedrae wat in verband met die geval aan die prokureurs betaal is. By ontvangs van die prokureur se staat sal kostes dan teenoor die deposito(s) teboek gestel word om te bepaal wat nog ten opsigte van die transaksie betaalbaar is of tot krediet van die Fonds staan. Op hierdie wyse sou dan kon bepaal word watter sake mee voortgegaan is, afgehandel is of hangende is en wat die totale regskoste beloop het.

In die boeke is betalings aan prokureurs bloot na 'n rekening vir regskoste gedebiteer en is geen verdere inskrywing in verband met die transaksie gedoen nie. Dit is dus vir u as likwidaateur onmoontlik om te bepaal of prokureurs behoorlik rekenskap gegee het van alle gelde deur hulle ontvang en of daar nie dalk krediete bestaan ten opsigte van bv. sake waarmee nie voortgegaan is nie. Ook sal u nie kan vasstel of die prokureurs se rekeninge aan u ten opsigte van hangende sake, korrek is nie. Teen die einde van die tydperk is byvoorbeeld glad nie meer op tjekteenblaaie spesifiseer vir welke gevalle deposito's by Prokureurs gemaak word nie - slegs 'n ronde bedrag is oorbetal, wat in meeste gevalle op 'n aantal sake betrekking

gehad het.

Uit die stukke kon geen oorsigtelike beeld van die sake wat verdedig is, gevind word nie. Afgesien van die boeke wat nie 'n rekord van bepaalde gevalle aantoon nie, kon ook geen state van prokureurs gevind word waarin 'n volledige oorsig van alle gelde deur hulle ontvang en kostes daarteen gedebiteer, aangetoon word nie.

(c) Die boeke van die Johannesburgse tak is tot Junie 1965 geouditeer. Andersins is daar geen aanduiding dat boeke van takke aan oudit onderwerp was nie.

(d) Bewysstukke vir betalings is nie in alle gevalle beskikbaar nie.

(e) Finansiële beheer is in die volgende gevalle wat uit ons toetsoudit na vore gekom het, gebrekkig:

- (i) 'n Tjek vir R3,500 wat op 28 Desember 1965 vanaf Kaapstad na Johannesburg oorgeplaas is, verskyn nie in die boeke van Johannesburg nie. Die tjek is endosseer deur Mej. Ruth Hayman namens S.A. Defence and Aid en inbetaal in die trustrekening van Hayman en Arohson op 21 Januarie 1966. Geen inskrywing vir hierdie transaksie kon in die boeke van Defence and Aid, Johannesburg gevind word nie.
- (ii) 'n Tjekboek van die Johannesburg tak (wat volgens u mededeling deur mej. Ruth Hayman aan u oorhandig is) bevat tjeks wat in blanko deur die een ondertekenaar vooruit geteken is. Mej. Hayman het as komiteelid oor tekenmagte as tweede ondertekenaar beskik, en soos bekend, het sy ook as prokureur vir die fonds opgetree.

(iii) Slegs in die geval van Johannesburg is van gedrukte kwitansieboeke gebruik gemaak. Selfs hier is daar egter geen beheer oor die voorraad ongebruikte kwitansieboeke uitgeoefen nie. Ingeval van die ander takke is van kommersiële kwitansieboeke gebruik gemaak, wat natuurlik uiters swak beheer daarstel, aangesien enige persoon geredelik 'n dergelike kwitansieboek kan aanskaf.

4. Algemeen:

Indien enige sake in hierdie verslag genoem, nie vir u duidelik is nie, sal ons dit met graagte met u bespreek."

BYLAAG "F".

VERBAND TUSSEN DIE "FUND" IN SUID-AFRIKA  
EN SY TEENHANGER IN ENGELAND.

Met die totstandkoming van die "Fund" in Suid-Afrika het Domheer Collins, voorsitter van "Christian Action", hom as volg uitgelaat:

"... The management Committee and Trustees seem to be an admirable lot and should carry full confidence this end with the people from whom we are extracting money. It looks as though the terms of reference you have cover roughly the same as those we are working under this end so we ought to have no difficulty in passing money on to you for all the purposes for which we collect it ... the people are generally coming to regard the Defence and Aid Fund administered by Christian Action as the one National Fund for all purposes in regard to South Africa ... In the past I think there has been money sent from various people and organisations direct to South Africa in response to appeals not coming directly from the Treason Trial Committee or your new set up. I hope that this has now stopped and that in future money will be channelled through us ... Alan Paton some time ago told me that he thought it essential for the bulk of the money to be kept here in case at any point the South African Government should pass legislation by means of which they could take over any Fund held out there ... I understood from Ambrose Reeves that we had left over £6000, which we had sent out previously earmarked for the Treason Trial defence ...".

Op 2 November 1960 skryf Alex Hepple, Voorsitter van die

Johannesburg-tak van die "Fund", aan Domheer Collins:

"... On his return from London Mr. Lang delivered your verbal message in regard to the administration of the Defence and Aid Fund ... As we understand the message, certain difficulties have arisen in London and because of this you wish us to (i) radically amend our constitution and (ii) abolish our management Committee and replace it with a Board of five trustees."

"We are not clear in what respects objects should be changed ... If in addition to the present Management Committee, you know of other prominent people in South Africa who are willing to share in our work we would welcome their assistance ..."

Die aartsbiskop van Kaapstad was op 1 April 1961 genader om as President en Trustee van die "Fund" in Suid-Afrika op te tree. Hy laat hom as volg uit:

"... When we discussed the matter of Trustees this year it was agreed that reference should be made to Canon Collins to discover his wishes in the matter, in the hope that his ideas and those of Defence and Aid would coincide.

It is not quite clear whether this has been done and should like to be re-assured on this point before consenting to accept the invitation ..."

Op 10 April 1961 het die "Fund" die aartsbiskop as volg meegedeel:

"... We have had a good deal of correspondence with Canon Collins in connection with Trustees. It eventually became clear that he had two different ideas in mind. One



was the appointment of a board of Trustees to handle all Christian Action money sent to this country and virtually to act as his agents".

"... This was discussed by the management Committee and it was decided that it was not a matter for Defence and Aid, but for Christian Action alone to resolve ...".

Dr. E. Helmann van die Johannesburg-tak laat haar as volg uit teenoor Kaapstad op 6 Julie 1961:-

"... By the way Collins again stressed the great need for simple, human stories. He said that you sent him once an account of a man who had been in the same job for 17 years and lost it because he came up before the Courts on some charge. And this was a money wizard, money spinner ...".

As voorsittër van Christian Action het Domheer Collins hom op 8 Junie 1963 soos volg teenoor die "Fund" uitgelaat.

"... Realising how desperate and enormous the needs for defence and aid in South Africa are, we have been planning a number of campaigns on a national and international scale devoting special attention to the trade union in Britain (including national and branches), the U.S.A., Canada, Australia, New Zealand and possibly other countries ... there is of course not the slightest objection to the Defence and Aid Fund in South Africa receiving moneys direct and not through us ... my only concern is that you should get the maximum possible and I believe that this can best be achieved if the Trade Union movement this end is complimentary to our general

which is now both national and international. It also seems to me that it is better for money to be held in London and sent to you as and when you request it than to give you the problem of holding large balances which at any time the Government might decide to confiscate. I was wondering therefore whether your committee would consider writing to the General Council of the T.U.C. pointing out the benefits which would result for the folks in South Africa if all moneys went through our Defence and Aid Fund here in London ...".

Op 18 Junie 1964 skryf die Kaapse-tak aan Johannesburg-tak van die "Fund":

"... I received a letter from Mrs. Nuell, Secretary of Christian Action. She tells me that London has forwarded a further amount to you of which £750 is earmarked for the Alexander appeal ... I must explain that we are more or less acting as a conduit pipe between C.A. and the Friends of the accused as we did not make any appeals to C.A. for this case. The £750 was promised as a result of a private appeal, made to C.A.".

Domheer Collins het hom op 12 November 1964 as volg teenoor Leo Marquard van Kaapstad uitgelaat:

"... As you may be aware, the Defence and Aid Fund (International) has recently been approved as an agency of the United Nations ...".

"Three agencies have been chosen namely the Defence and Aid (international), Amnesty International and the Joint Committee for the High Commission Territories. We feel

we are best suited to administer such moneys ... We work through the South African Defence and Aid Committees and we have already collected and distributed an amount of £300,000 ...".

Op 16 Augustus 1965 deel Johannesburg die Kaapse-tak as volg mee:

"... London has informed us that they will be sending money at intervals and that R4,000 will be sent at a time. This has been coming through at more or less fortnightly intervals, and one can only presume that they have reason for this ...".

Mary-Louise Hooper van die "American Committee on Africa" het haar as volg uitgelaat teenoor die "Fund", Port Elizabeth:

"... You will soon, if you have not perhaps already, receive the sum of 1000 dollars from the International Defence and Aid, London, which was earmarked by us for your office, for relief of the families ... Our office is now affiliated with the International Defence and Aid so we will send money through them, from time to time ..."

Volgens n publikasie wat deur die "forum World Features" op 26 Februarie 1966 uitgegee is, het Christian Action alreeds n bedrag van R1,000,000 in die Republiek van Suid-Afrika op politieke gevangenes en hulle gesinne laat spandeer.

In die uitgawe van die publikasie "Christian Action" wat in die somer van 1964 verskyn het, lewer Aartsbiskop Joost de Blank n oorsig van die bedrywighede van "Defence and Aid" in Suid-Afrika en merk onder andere op:

"... It would be impossible to pay too high a tribute to the local Committee in South Africa".

Op n Uitvoerende Komitee Vergadering gehou te Kaapstad op 11 Augustus 1965 word die volgende besluit geneem:

"... It was resolved that the Secretary should write to Johannesburg asking them to ask London to send sufficient money at one time to cover our immediate commitments".

In die notule van n Uitvoerende Komitee vergadering te Kaapstad op 30 September 1964 is besluit om Londen as volg in te lig:

"... (a) that when making statements appealing for money and also when allocating money direct from England for defence costs in specific cases in South Africa, the name Defence and Aid should not be used.

(b) that as far as possible the local committees of Defence and Aid be entrusted with the allocation of money for cases in South Africa".